Agenda
Village of Arlington Heights
Zoning Board of Appeals
Buechner Room, 1st Floor
Arlington Heights Village Hall, 33 S. Arlington Heights Rd.
June 12, 2023
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

A. 623 N. Beverly Ln. - 5/8/23
B. 430 W. Whitehall Dr. - 5/8/23
C. 215 W. Fremont St. - 5/8/23
D. 2620 N. Phelps Ave - 5/8/23
E. 330 E. Algonquin Rd. - 5/8/23

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

A. 516 S. Bristol Ln. - ZBA#23-014
B. 329 S. Burton Pl. - ZBA#23-015
C. 1223 N. Arlington Heights Rd. - ZBA#23-016
D. 407 S. Waterman Ave - ZBA#23-017

VII. OTHER BUSINESS

A. Public Comment

VIII. PUBLIC COMMENT

IX. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact Erin Mercado, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, emercado@vah.com or (847)368-5793.

Zoning Board of Appeals
6/12/2023

Item: 623 N. Beverly Ln. - 5/8/23

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
623 N Beverly Ln - 5/8/23 Findings	Minutes
623 N Beverly Ln - 5/8/23 Minutes	Minutes

ZONING BOARD OF APPEALS
VILLAGE OF ARLINGTON HEIGHTS

FINDINGS
MAY 8, 2023

PETITIONER: Brophy Residence

ADDRESS OF PROPERTY: 623 N. Beverly Ln.

VARIATION: 5.1-3.3 (Required Minimum Yards) & 10.2-11.1b (Parking in Yards – Driveway Width)

An 0.8' variation to allow a new home with a side yard setback of 4.2' instead of the required 5.0' and an additional 1.0' for the eave; and A 9.0' variation to allow a driveway with a maximum width of 31.0' where a maximum width of 22.0' is permitted.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that the side yard setback will not alter the essential character of the locality and will be compatible with the existing uses and zoning of nearby properties if the variation was granted. The petitioner further testified that the existing south wall of the home is nonconforming with the side yard setback of 4.2 feet. The petitioner explained that the project will maintain a single-story structure where the variance is being requested. The petitioner testified that the proposed variation is in harmony with the spirit and intent of the zoning code. The petitioner testified that the garage is placed on the south side of the home to allow for more light. The petitioner explained that the there is a parkway tree that conflicts with the proposed driveway; therefore, they are requesting a variance for driveway width in order to place the drive so that it does not conflict with the parkway tree.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood. Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Lanaghan and seconded by Mr. Drake. Thereafter, the Board voted 6-0 to approve the 9.0' variance request to allow a driveway with a maximum width of 31.0' where a maximum width of 22.0' is permitted, with a condition that the driveway will be setback up to 3.0' from the side (south) property line if Engineering deems necessary for the grading.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Peter Siavelis, Chair
Zoning Board of Appeals
Village of Arlington Heights

ZONING BOARD
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OF APPEALS

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

RE: 623 NORTH BEVERLY LANE - ZBA #23-004

REPORT OF PROCEEDINGS had before the Village of Arlington Heights Zoning Board of Appeals taken at the Arlington Heights Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room, Arlington Heights, Illinois on the 8th day of May, 2023 at the hour of 7:42 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairman
TOM DRAKE
JEFFREY LANAGHAN
JOSEPH GEISEL
BENJAMIN JAFFE
FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner

DRAFT

CHAIRMAN SIAVELIS: Okay, last item of business for the evening, 623 North Beverly Lane, ZBA Petition #23-004.

Derek?

MR. MACH: Thank you.

The Petitioner is proposing to build a two-story residence with an attached two-car garage. The property has a total land area of 10,695 square feet. The proposed residence will have approximately 4,200 square feet. The Petitioner is proposing a 4.2-foot setback along the south property line where five feet is required.

In addition, the Petitioner is also requesting a variance for the driveway width. There is a parkway tree that would conflict if the drive was placed so that it was a straight connection between the street and the garage. Therefore, the Petitioner is requesting the variance for the driveway width. If the Zoning Board is supportive of the driveway layout and variance, it is recommended that the driveway be set back a minimum of three feet from the side, the south property line in order to allow for proper drainage and landscaping.

The Petitioner is requesting a 0.8-foot variation from Chapter 28, Section 5.1-3.3 to allow a new home with a side yard setback of 4.2 feet instead of the required five feet, and an additional one foot for the eave; as well as a nine-foot variation from Chapter 28, Section 10.2-11.1b to allow a driveway with a maximum width of 31 feet where a maximum width of 22 feet is permitted. Thank you.

COMMISSIONER JAFFE: Derek, I have to ask a question. I know that the petition was not included in the document you handed out today. My question is, this petition seeks a variation for 5.1-3.3 but this petition document does not have the second variation.

So, is the Petitioner requesting one variance or two variances?

MR. MACH: They are requesting two variances. The driveway width variance was a later addition.

COMMISSIONER JAFFE: So, shouldn't it appear on the petition document?

MR. MACH: I would defer to the Petitioner regarding that.

COMMISSIONER JAFFE: I guess I don't know how to raise this. Is this --

CHAIRMAN SIAVELIS: Are both variances properly noticed then before us?

MR. MACH: Yes.

CHAIRMAN SIAVELIS: Okay, who's next? Come on up. And you are prepared to speak as to both variances sought, correct?

MR. LABELLE: That's correct, yes.

CHAIRMAN SIAVELIS: Okay, so what's your first name?

MR. LABELLE: Joseph or Joe LaBelle with Rize Properties.

CHAIRMAN SIAVELIS: Okay, right hand.

DRAFT

(Witness sworn.)

CHAIRMAN SIAVELIS: Go ahead.

MR. LABELLE: Thank you for your time tonight. I appreciate you taking the time to hear us. So, I'm here, the owners are behind me, Jennifer and Brian Brophy, and we've been through a little process to get to this point, working with Staff to figure out what we believe is the best path forward.

I'm going to read through just the different requirements and responses to those, and then I'll offer a little bit of insight and feedback on those. I'm going to treat each variation separately as I read through this.

So, I'll start with the side yard setback request. It states that the proposed use will not alter the essential character of the locality and will be compatible with the existing uses and zoning of nearby properties if the variations were granted. The addition, we call it addition/renovation project. It is a substantial project. As Derek had pointed out, the end result looks as if it's a new home. We are maintaining the existing wall on the right side, and we believe that it will maintain or improve the character by improving the neighborhood with a new home that we believe is definitely improving the neighborhood.

The plight of the owner is due to unique circumstances when we include the length of time it's been vacant as zoned. The existing south wall of the home is nonconforming with the side yard setback of 4.2 feet. We believe that the project will maintain a single-story structure at that wall. So, the current structure that's there, we are maintaining even with the proposed home, that stays single story where that setback request is at. We're not adding a second story above it right there.

The proposed variation is in harmony with the spirit and intent of this chapter. The nonconforming portion of the property will remain consistent with the existing conditions and will maintain the character of the neighborhood and is in the spirit and intent of this chapter. Again, the right-hand side as you can see, the second floor is pulled back to meet the five-foot setback. So, we're only asking for the variance where it's the one-story portion.

CHAIRMAN SIAVELIS: And that would be by the garage, is that what that is?

MR. LABELLE: Correct, by the garage.

CHAIRMAN SIAVELIS: So, then you're going to step back behind the garage.

MR. LABELLE: Correct, so that right-hand garage wall at the first floor is maintained where the garage is at. The second floor portion comes in to be conforming at five feet. So, we're very intent on not making a two-story structure going past the required setback. It's just the exact base where the wall is currently and we will keep it as a one-story structure right there where the garage is.

We believe this is the minimum variance necessary to allow reasonable use of the property. Again, not going two stories with that and keeping it at the one-story portion we believe is just doing that and keeping it at the minimum request.

Part of the reason for this, too, is with Arlington Heights there is the requirement for a 21-foot wide interior garage. So, part of the goal here

DRAFT

would maintain that as to allow us more room on the inside to allow for an office and a foyer that will not be impacted by that garage width required. Since the wall is there currently, maintaining just the one-story structure we believe we're maintaining the minimum requirement for that.

CHAIRMAN SIAVELIS: As to the garage?

MR. LABELLE: For the garage, yes, correct. One other thing I will point out has to do with the overall design of the home, and this is the unique plight of the owner, the unique circumstance of the property. The home to the south, beautiful home but it is taller than this home, it blocks a lot of the view, the light in particular coming into the home. So, there's a lot of attention paid between the owners and the architect on the design of this home taking into consideration the home to the right.

One thing that we actually found that's quite unique is the home to the right is several feet taller than what this home is.

Derek, I believe that we, yes, there you go -- right there.

So, we had actually originally had this home taller by about another foot. What we had proposed and submitted, we worked with Staff to reduce the height of the building to meet the height requirements, but we also found the home next door is actually taller. We can't explain this, it could have been a previous variation, whatever it is. The sun is obviously blocked from the home, the view is blocked from the home. So, there's a lot of time spent with the architect and the owners on the view now to the north being where the primary view is at, where the primary light is coming in. So, on the right-hand side, there's one window.

So, this all, sort of getting to the point, we have a right-hand garage planned for this home. The current home has a left-hand driveway. But with the home next door, there's a lot of attention on that where this is really the desired layout to allow the most light into the home. So, the driveway to the right allows two things: the garage to be a little bit wider, which is helpful; and it also allows the home design to be laid out where the light is most, or I should say least impacted coming into the home.

I can move on to the driveway if that would be helpful, or are there questions on this particular, should we treat this one first and then move on?

CHAIRMAN SIAVELIS: That's a fair point to raise. You answered a lot of my questions, or basically all of my questions as to the garage.

MR. LABELLE: Sure.

CHAIRMAN SIAVELIS: Especially the particular question that I had was why not flip the orientation such that you wouldn't have this heavily curved driveway.

MR. LABELLE: Right.

CHAIRMAN SIAVELIS: Then you explained, at least to me, why you're not doing that, but --

MR. LABELLE: Right.

CHAIRMAN SIAVELIS: -- let me ask you a question. If you had maintained that south wall of the garage, okay, but still flipped the garage to the left side, to the north side, would the flow of the house not have worked then if you had retained that existing nonconforming wall on the south?

MR. LABELLE: Right. So, my role here has been as a developer. We also designed it but I've really left a lot, really all the design to the architect who worked with the homeowners, and they actually were involved with that before I was even brought in. But I will say I looked at that exact same scenario, and when I'm reviewing it, basically the layout that they've chosen, it would drastically change the light coming into the home, we believe that, to where if it was flipped around, the layout wouldn't work the same way in terms of light coming in. That was --

CHAIRMAN SIAVELIS: So, that house at 619 North Beverly is so dominant as far as the light transmission and like the light pathway that it would --

MR. LABELLE: Light and view, yes, both. So, on the left-hand side, now we have a left-hand stairwell, a switchback stair where the glass looking out, the light looking out looks into air, whereas flipped around you would be seeing the brick wall from the neighbor's home. Then the light coming into the stairwell, the stairwell is a really great source of natural light, and that would be blocking that. Granted that is to the south where the light is coming, but over here you still gain that natural light coming in where it's not blocked by where you're looking out seeing basically a big brick wall next to you.

CHAIRMAN SIAVELIS: And, Derek, can you zoom out of this image real quick so we can see the house to the north? Now, can you zoom in just a second to see that address to the north? 627 to the north.

MR. LABELLE: Right.

CHAIRMAN SIAVELIS: So, I mean, a lot of what you premise here is light passageway, light, you know, transmission I guess into your house and maximizing that layout with an understanding that 627 North Beverly Lane, the neighbor adjacent to the north has a smaller single-story house.

MR. LABELLE: True.

CHAIRMAN SIAVELIS: Given the rate of development in Arlington Heights, that could be upended in the near term.

MR. LABELLE: Right. Right, that is true.

CHAIRMAN SIAVELIS: Okay, so I didn't have any other comments as to the first variance. If there are no other Board member comments or questions, I don't know, we could proceed to the second variance?

(No response.)

CHAIRMAN SIAVELIS: So, go ahead.

MR. LABELLE: So, the second variance is pretty much in relationship to this here. First, some back story. We really looked at all sorts of options here. Obviously, the tree is right in the middle of where a normal wide driveway would go.

So, for the second variance, it's a parkway tree that's really determining this design, which we have run past our own engineers. They've worked through it actually. I know, well, this has been a very deliberate process. So, I will answer the questions related to the variance with the driveway now.

We hereby state that it will not alter the essential character of the locality and will be compatible with the existing uses and zoning of nearby properties if the variations were granted. Well, here again, we're going to come down to the parkway tree. We don't want to rip out and remove a parkway tree, so

our goal here is to maintain the character by keeping that tree in tact.

That the plight of the owner is due to unique circumstances which may include the length of time the property has been vacant as zoned, again, a parkway tree is driving this which is unique. I'll also add again, this is also tied to the home next door and the design for the home with a right-hand garage that we talked about previously.

We state that the proposed variation is in harmony with the spirit and intent of this chapter. Again, with the tree, maintaining, that's very much the goal is to maintain the character and improve it. As a side note, we have a home that we've recently built in Glen Ellyn. I think I shared pictures with Derek and Steve Hautzinger with the Design Commission where the home next door to where we built has almost a very, very similar layout to this. Working through options of how to make this all work was just actually looking at that driveway where it curves, and quite honestly there it's a much bigger tree and it looks very nice. It actually, in my opinion, it actually improves the character. It almost draws attention to the parkway tree with the unique layout for the driveway. So, it's actually, I believe, a very nice look.

We state that the variance requested is the minimum variance necessary to allow reasonable use of the property. Well, again, specific to the driveway, but the tree is located, we looked at the entrance going into the right-hand side and maintaining a one-car-wide apron. The problem with that is it's so close to the neighbor's property line, I think about eight feet, actually maintaining eight feet from the tree would kind of make it work. So, we did explore that to the right where we would have a right-hand apron where it would get closer to the tree, but that was another concern. So, by flipping it to the left, it allows us to maintain that proper distance, not be too close to the neighbor's driveway and again, what we believe is going to improve the look of the driveway.

The specific request for the driveway width has to do with if it's on the right-hand side, maintaining or I should say allowing for a, you can call it a turnaround, it's a minimum turnaround, that would allow if there's no cars in the driveway for the car on the right-hand side to park in the garage, to go back out and turn the car and go forward out to the front versus backing around the tree. So, that was the intent of that right-hand side, and that's where we contemplated the width, the maximum width that's going from the farthest point to the north to the farthest point to the south.

We looked at it a number of different ways. We sketched it and proposed it with a potential retaining wall on that south side. Now, that wall would be at most one foot based on review with our engineers. It's more of a landscape wall, it's minimal, very minimal. It might not be necessary at all. By the time this grades down, it will be very minimal difference between the current grading and the neighbor's property.

So, we've shown it as what might be necessary, but we've not yet reviewed it with Arlington Heights Engineering. We now have four engineering drawings to show that so we can get that reviewed, but that's the purpose of that right said.

CHAIRMAN SIAVELIS: So, full engineering drawings had not been

submitted?

MR. LABELLE: They have been.

CHAIRMAN SIAVELIS: They have been?

MR. LABELLE: Yes.

CHAIRMAN SIAVELIS: Okay, when was that done?

MR. LABELLE: Very recently, over the past week. So, and obviously, this is all required, you know, to get that basically reviewed and approved.

CHAIRMAN SIAVELIS: Was that done before May 3rd or after May 3rd?

MR. LABELLE: I believe after May 3rd.

CHAIRMAN SIAVELIS: Okay, because we have, in the file we have comments from Engineering dated Wednesday, May 3rd, at 9:12 a.m.

MR. LABELLE: From Mike Pagones, correct.

CHAIRMAN SIAVELIS: Yes.

MR. LABELLE: Right, yes. So, I don't believe Mike's seen, or they hadn't yet filtered over to Mike's office. I think he was reviewing this plan which is preliminary, but the engineering drawings we submitted actually do reflect this layout but they also show grading and they show more detail than what this shows here. I understand there was a concern with the distance from the property line based on Mike's comments, correct?

CHAIRMAN SIAVELIS: Correct.

MR. LABELLE: So, I didn't see Mike's comments until today, actually until after 5:00. I would have actually, I've talked to Mike a lot about projects in the past. I would have discussed this with him. I believe that in looking at the full set of drawings submitted, when you look at the variation between the properties with the elevation heights, where we're proposing this to go, it would still maintain a swale right there because it's such a minimum difference. It's very small, it's 12-inch tall at the most --

CHAIRMAN SIAVELIS: Retaining wall?

MR. LABELLE: Wall there, correct. The only reason we even show it is if you look at how a driveway would work right there to make sure that it's not angling down too much, that might be required. There very well could be a solution where there's no wall needed and it would allow the exact same driveway setup and eliminate the retaining wall. In that case, it would pretty much maintain the existing difference between the neighboring property and this property.

COMMISSIONER JAFFE: But what you're describing, are those still options that are being considered and evaluated, or are we at a point where we have a final firm proposal?

MR. LABELLE: Well, what we're requesting, and given what Mike's comments are --

COMMISSIONER JAFFE: And which comments? The comments that were made on May 3rd, or --

MR. LABELLE: On May 3rd, correct.

COMMISSIONER JAFFE: Okay.

MR. LABELLE: So, our request is for approval for the variance as

submitted with what is drawn here. I would suggest, if we can get that approved, subject to Engineering's approval because they would of course have to go through this and make sure it's actually working with their requirements for, you know, what they would need for stormwater management, all of that.

So, they have not reviewed the full set of engineering drawings yet. So, our request or goal would be that we have this approved with their approval if that's a possibility.

CHAIRMAN SIAVELIS: That's going to be the typical procedure anyway.

MR. LABELLE: Correct, correct.

COMMISSIONER LANAGHAN: Well, if we allow a 12, you know, this is basically 12 inches off, you know, or a foot off of the property line. Mike's recommendation is three-foot which is the zoning if I recall, if I read his --

CHAIRMAN SIAVELIS: Well, he says two things. Let's make sure we have that clearer, too, on the record, okay?

COMMISSIONER LANAGHAN: Right.

MR. LABELLE: Yes.

CHAIRMAN SIAVELIS: Because I think that will be helpful. So, as to 623 North Beverly Lane, he has two bullet points. Bullet point number one says Engineering has no objection to the proposed side yard variation.

MR. LABELLE: Right.

CHAIRMAN SIAVELIS: Number two, Engineering strongly objects to the proposed driveway width variation. Then a sentence, new sentence, the proposed driveway and retaining wall will force the drainage path entirely onto the neighboring property to the south.

MR. LABELLE: Right. Right.

CHAIRMAN SIAVELIS: So, that's what he said there.

MR. LABELLE: Correct. So, yes, so I think to reiterate your point, it sounds like there is no issue at all with the side yard setback for building on the existing wall. It's entirely regarding the potential retaining wall being one foot off the property and making sure stormwater is flowing. If you --

CHAIRMAN SIAVELIS: And the thing is a potential solution is not provided by him, right?

MR. LABELLE: Correct.

CHAIRMAN SIAVELIS: He just flags the issue without providing the solution.

MR. LABELLE: And I think, I would say to be fair to Mike, I think Mike, this is not a grading plan. This is basically an overlay on the plat of survey, and this was done to create the concept, so we knew what to ask for, for the variance.

Now, if you look at the property and walk it, I'm not sure Mike's been out there to see it, but currently the ground is, the grade is built up on this property higher than next door. So, right now, actually the water that's shed is shedding more onto the property in my opinion than what will happen when we do this, because we're going to actually gradually increase, raise the driveway from the sidewalk to the home. Right now it's built up, it's like a mound almost.

So, I will argue, not an engineer --

CHAIRMAN SIAVELIS: So, it's graded to the south?

MR. LABELLE: It's graded to the south currently, yes. So, if you look, it's hard to tell from that view, but if you look straight on, this property is graded up. Our driveway will be to the right where it will taper more down than it does currently. Potentially, that retaining wall, being again a foot tall, would allow it to create or taper where it's not going to, with the driveway slope requirement, so we want to make sure it's not going to have an issue with that.

But I believe, again, I'm not an engineer here, but I believe that when this is reviewed with our full engineering drawings including grading, that concern will go away. I could be wrong about that, but I believe it's, when you look at it on paper right now, it seems more like an issue than it actually would be.

So, my request would be that Engineering could review that, going through the normal process, and let Engineering push back on it. If our engineers and the Village engineers cannot resolve it with what we've requested, we would then have to modify it, you know, toward whatever is required to make that approved for building.

CHAIRMAN SIAVELIS: Joe, you want to say something?

COMMISSIONER GEISEL: You shed some light on the garage being on the south side which was an issue. Then in turn, it makes this turnaround jut out into that setback area and further act as a dam to any water moving from the, what would it be, from the east to the west.

MR. LABELLE: Correct. Right.

COMMISSIONER GEISEL: That has been one of the, in terms of that grade, for me, I'm not speaking for anybody else, less of a problem.

MR. LABELLE: Sure.

COMMISSIONER GEISEL: And if you've addressed that in your engineering drawings, and it wouldn't have the retaining wall because it's going to act as a dam, even if it's one-foot high.

MR. LABELLE: Correct.

COMMISSIONER GEISEL: It would impede the water flowing.

MR. LABELLE: And I agree with that. I would suggest another option to even consider if needed, is some sort of small culvert that could even go underneath and, you know, shed water from east to the west underneath and behind the retaining wall if needed. From a drainage standpoint, I have to believe that it can be worked through. What we've gotten drawn doesn't require that, but it could be a possibility as well.

CHAIRMAN SIAVELIS: As I sit here and I listen to the hoops that you folks have jumped through and what you're considering here, I mean, am I a -- or the rudimentary thinker here that says the damn tree is the problem.

MR. LABELLE: Yes. Yes.

CHAIRMAN SIAVELIS: The tree is the --

COMMISSIONER LANAGHAN: Can you go back to the photo? Yes.

CHAIRMAN SIAVELIS: Is the issue.

MR. LABELLE: Correct.

COMMISSIONER LANAGHAN: Yes. I'm going to say your calling it

out as an 11-inch something here. There's no way that's an 11-inch caliper tree.

MR. LABELLE: I don't know if any of you have seen it. So, in fairness to the architects from the very beginning, when you look at this, the assumption was this will never be a problem to be a right-hand garage. In fairness to Derek and the Staff here, there's requirements that have to be met. So, this became an obstacle very clearly pretty far into the process, well after the homeowners bought the property and were well underway with this design where this was never anticipated to be an issue.

So, when we started working through this and realizing this is the problem, now this whole design, you're absolutely correct, is to avoid a relatively small tree.

CHAIRMAN SIAVELIS: Yes, and frankly, you're going to pull out a lot of concrete there, right, and you're going to -- can you go back to the overhead view, Derek?

Pulling out a lot of concrete on pretty severe curves, and when you have 16 and 17-year-olds driving, that's going to be quite a challenge.

MR. LABELLE: Yes, which by the way they have two kids, they have a third on the way. They have a growing family.

COMMISSIONER LANAGHAN: Right.

CHAIRMAN SIAVELIS: That's actually a good question. Tell me, how many folks live in the home?

MR. LABELLE: There will be, well, there'll be five. They have one on the way, two kids currently, and then Brian and Jenny themselves.

CHAIRMAN SIAVELIS: Okay, so there's five folks living in this house, three kids. So, in the future you're going to have five drivers.

MR. LABELLE: And potentially more, you never know.

CHAIRMAN SIAVELIS: You're right, potentially more. So, all of this mental gymnastics for this tree in the yard.

MR. LABELLE: Correct.

COMMISSIONER LANAGHAN: So, Derek, can I ask you a question? What is the rule on parkway trees? Are they not allowed to be taken down or what is --

MR. MACH: Yes, I mean, it's been Village policy that healthy parkway trees remain. The Village spends a significant amount of money each year maintaining the trees.

COMMISSIONER LANAGHAN: Right, sure.

MR. MACH: It not only affects the character of the subject home, I mean, it affects the character of the neighbors, affects the character of the block if we were to remove a tree every time a driveway --

COMMISSIONER LANAGHAN: You know, maybe make the homeowner put one in on the other side.

MR. LABELLE: Oh, that was actually something we talked through. We have no problem with adding, well, a couple of things. I made some calls to landscape architects and arborists. One request was can we actually relocate this tree. The size of the tree makes that very difficult. I suggested we could have what would be an excavation, properly prune it, try to move it; but just moving it that

distance, it's a massive project and the odds are it will not live. So, that was taken off the table.

The second option was we could probably get up to about a six or seven-inch tree to replace it, and we would put it on the other side.

COMMISSIONER LANAGHAN: That's really an 11-inch caliper that we saw on the picture?

MR. LABELLE: Well, now. Now.

COMMISSIONER LANAGHAN: Okay, so that's --

MR. LABELLE: It depends, 11 or 12 depending on who you ask, but I think when that picture was taken on Google maybe a couple of years ago, it was probably eight. I mean, the thing sprung.

COMMISSIONER LANAGHAN: Yes, because it looked pretty scrawny.

MR. LABELLE: It's taken a couple of years. So, we could get, I believe up to an eight, more likely a six or seven-inch caliper tree, plant it and replace for a reasonable cost, probably like 1,200 bucks, something like that. Then we would add one more tree actually on the property.

COMMISSIONER LANAGHAN: Right, to make up the caliper difference and, you know --

MR. LABELLE: Yes, you get two trees for one essentially.

CHAIRMAN SIAVELIS: What's the pour difference on the concrete when you're looking at all that concrete or asphalt as compared to a straight driveway? Roughly?

MR. LABELLE: Well, oddly enough, so we are below the maximum impervious coverage requirement by I think around 60 square feet. The way this is laid out, it's about, it's very comparable concrete because we're narrowing the apron but it's clearly less efficient and it is more concrete than would be necessary, you know, to make it work.

But, you know, it's unique. But, quite honestly, it will look nice for whatever that's worth. It's just, but it is a unique situation. I don't know if this is something that the Zoning Board could even approve, would be that tree being removed and replaced with a new one or a second one but, you know, that's, you know, we're here because of that tree.

COMMISSIONER DRAKE: Derek, what is the protocol for that, for taking a tree down and planting another tree that's placed in another part of the parkway? Who would approve that or who has to authorize that? How does this get done through the bureaucracy?

MR. MACH: Sure, and there has been much discussion regarding this particular tree, and the Village forester has inspected the tree. It is in excellent condition and ultimately it's, yes, they're going to make the determination.

CHAIRMAN SIAVELIS: But under what criteria though? I mean, that sounds to me like so subjective. Like, you know, what is the criteria for making a determination on whether a tree should be removed and replaced or replaced with something similar and then an additional one? I mean, to me that's essentially untenable.

MR. MACH: Yes, I mean, I can't speak on behalf of the forester but, I

mean, they have reviewed it and --

CHAIRMAN SIAVELIS: And of course the forester is going to say the tree is in impeccable condition, right, because, you know, it would make sense given that it's newer like that and, you know, the Village does take care of them, but I mean, I don't, I'm not advocating one way or the other, but part of this process is you're asking for this driveway variance, right, and we got Engineering who has flagged it and flagged it hard.

MR. LABELLE: Right.

CHAIRMAN SIAVELIS: Right, and we got this topography issue with the grade that may be fixed, may not, we don't know how that's going to come out. When we look at this, it's like the tree is the one driving all of this, right?

MR. LABELLE: The culprit, it's true.

CHAIRMAN SIAVELIS: So, and you know --

MR. MACH: Well, the driveway with the garage location is driving it.

CHAIRMAN SIAVELIS: The garage location is driving it, but it's an existing nonconforming structure, right.

MR. LABELLE: Correct.

CHAIRMAN SIAVELIS: And you're not asking to build a new structure there, right?

MR. LABELLE: Correct, right.

CHAIRMAN SIAVELIS: So, that's one of the other variables, or that at least in my eyes weighs in favor of your first variance being sought.

MR. LABELLE: Sure, sure.

COMMISSIONER GEISEL: And if you put the garage on, there's a desire to put the garage on this side, it's not a requirement to put the garage on this side. Had you put the garage on the other side, this wouldn't be an issue.

CHAIRMAN SIAVELIS: Agreed, understanding of course Joseph's explanation for the design choice given the two --

COMMISSIONER GEISEL: Understood, that's the desire.

MR. LABELLE: And I will, right, and I will add to that, too, and I wasn't part of these conversations but it was very deliberate with the right-hand garage from the beginning, and they bought the property with that expectation and understanding that it would be a right-hand garage. We've explored it pretty thoroughly because we've gone through this for months now and it's very much not of interest to have the garage on the left for a number of reasons, but the light is really a huge factor of that.

So, this is where we've landed and, you know, I guess with the, I'm understanding that the Board here cannot do anything about the tree and that's a situation we have to get some relief from the arborist. My request would I guess still be that this driveway as designed is approved with Engineering's blessing, so to speak, because obviously they're not going to approve it, what's being requested today is the driveway width specifically, correct? So, Engineering would have the ability in their review to simply deny it and to --

CHAIRMAN SIAVELIS: Just flag it.

MR. LABELLE: Flag it because it will not meet their requirements. So, our request is that the variance be approved. Mike's notes are noted and that

can certainly be noted in the record and I'm sure it needs to be. But ultimately, we would not want to build something that's not going to properly work with drainage. The last thing we want to do would be to impact a neighbor with their drainage.

CHAIRMAN SIAVELIS: How long have your clients lived at this house?

MR. LABELLE: They have not.

CHAIRMAN SIAVELIS: Oh, they're moving to it?

MR. LABELLE: Correct.

CHAIRMAN SIAVELIS: When did they purchase this house?

MR. LABELLE: They purchased the home, when?

MR. BROPHY: November. We were under contract for three months as well, so it's been almost a year.

CHAIRMAN SIAVELIS: And when did you close, you closed in November?

MRS. BROPHY: November.

CHAIRMAN SIAVELIS: And when are you slated, oh, you're not slated to move in, right?

MRS. BROPHY: Whenever we can.

MR. LABELLE: Correct. Correct, yes.

COMMISSIONER JAFFE: So, this petition had at least, what, one or two extensions?

MR. LABELLE: Correct. I think two. We originally submitted it in December, and then at that point we were requesting a height variation and there was a lot of pushback, specifically with the architect on that for various reasons. We were requesting that and the setback.

We, in resubmitting this, took away the height variance just to, we found a solution. We found it where I thought it was appropriate. But then actually the driveway issue came up with the tree, and quite honestly, the tree didn't become clear to me and to us until we were laying this out because, we did have their plat of survey, I believe the architect didn't really ever note, well, he knew the tree was there. It was well documented, but again, it was such a small tree and it's a pain that it was never discussed that there would possibly be an issue to hold up this design.

So, but once we laid it out and realized, that became a clear problem. When we resubmitted now, that was the variance for the driveway along with again, the side yard setback.

COMMISSIONER GEISEL: Are there any drainage issues, any drainage problems right now?

MR. LABELLE: No, not that I'm aware of and I don't know if you're aware of any. But basically, what's nice about the property is currently there's improvement at the rear yard for a dry well that's existing. Our suggestion, our plans we submitted is actually extending the dry well and adding more drainage on the property, which I don't think Mike probably realized because he hadn't seen that yet. It's at the back though, it's a different location, but I've walked out there multiple times after rains to see what's going on, I've never seen any issue and I've seen no issues at the right side that we're talking about at all. Nothing that I've

seen with that.

CHAIRMAN SIAVELIS: This is a deep lot, this is 214 --

MR. LABELLE: Yes, it's very deep. Yes, and where the dry well currently is located is a low point on the property. It's not far off of where there's the proposed rear covered area, it's near there, and we are extending it, actually creating a second dry well on our proposed plan which will help even more if there are any issues of water at the back. So, if there's any issues, it's at the low point there.

CHAIRMAN SIAVELIS: And there's a mature tree in the backyard?

MR. LABELLE: Which we're maintaining, yes.

CHAIRMAN SIAVELIS: So, are you contemplating that, you're asking us for both of these variances and then you'll work with Engineering to see how it plays through.

MR. LABELLE: Right.

CHAIRMAN SIAVELIS: And in addition, you will evaluate the tree issue.

MR. LABELLE: Right.

CHAIRMAN SIAVELIS: And see what kind of relief can be gained from --

MR. LABELLE: Potentially, in talking with the arborist, maybe they would determine that the best path forward is literally just to go with a straight garage out and a driveway out and we replace it with a seven or eight-inch caliper tree if we can and add another tree to the property, but it will require us working with the arborist.

CHAIRMAN SIAVELIS: Understood, so that's out of our purview.

MR. LABELLE: Correct.

CHAIRMAN SIAVELIS: Okay, I'm just trying to understand what you're seeking from us, and I think you've made that clear. It's still the same two variances.

MR. LABELLE: Correct, two variances subject to Engineering's typical review and approval.

CHAIRMAN SIAVELIS: Right, and that second variance on the driveway with the south wall, you want that included in our consideration as well.

MR. LABELLE: We do, we do. That's our request. Again, our understanding based on Mike's comments is that that pushback to move it is really specific to drainage. That was his big concern. So, if we can alleviate that in other ways in that, we would work with Mike and with Engineering to do that, but our request would be as we've submitted, we request that that variance is granted.

CHAIRMAN SIAVELIS: Okay, understood.

Any other questions from Board members?

(No response.)

CHAIRMAN SIAVELIS: All right, take a seat please.

MR. LABELLE: Thank you.

CHAIRMAN SIAVELIS: Any, come on up, sir, comments from the public?

MR. PERKINS: Thank you for having me. My name is Jim Perkins.

I live at 615 North Beverly Lane. Do I need to do this thing?

CHAIRMAN SIAVELIS: We don't swear in non-petitioners for whatever reason, so go ahead.

MR. PERKINS: That's fine. I'll still tell the truth, I promise. So, I live at 615 North Beverly. I thought, by the way, first of all, I want to appreciate the attention to detail, the thoroughness you guys are doing here. I appreciate all the questions and I appreciate the presentation. I learned some things about my neighborhood, so I appreciate that.

The only thing I disagree with though is that there is water in our backyards. I can, if you --

CHAIRMAN SIAVELIS: I'm sorry, let me interrupt you. 615 or --

MR. PERKINS: 615, I'm two houses south.

CHAIRMAN SIAVELIS: Okay, got you.

MR. PERKINS: So, 619 and 615, every year, at least once, two or three times a year we pump water out of our backyard. There is, the water, if you see how deep the backyards are, the former stream that went through there, the houses on Euclid have a higher grade, they act almost like a dam. The water flows down and there's nowhere for it to go. Back in April, I was walking through a foot-and-a-half of water in our backyard and I had to pump it out.

So, I don't disagree with their plan in terms of the new home. I'm actually excited for this young family to move in and improve the neighborhood, but we just cannot have more water in our neighborhood, we cannot allow more water.

We've had the Village out twice. When we built our house in '04, the builder asked to have a drain put in the backyard and they disallowed it. About four or five years ago, we had the Village come out again to see if there was something they could do about it, and they just didn't want to have any more water into the sewer system. They wanted it controlled. So, we have to do our own pumping, and so that's all I'm asking.

CHAIRMAN SIAVELIS: Where do you pump to?

MR. PERKINS: Into the street. Probably illegal, but there is no place else for it to go. It's just stagnant.

CHAIRMAN SIAVELIS: I was curious about that, but yes.

MR. PERKINS: What's that?

CHAIRMAN SIAVELIS: I was asking where you were putting it, I was curious.

MR. PERKINS: It's just stagnant and it's just a pool, a pond.

CHAIRMAN SIAVELIS: So, do you, I mean, given that you guys have large, or excuse me, deep lots there, and it rained a lot in April here, right?

MR. PERKINS: Yes.

CHAIRMAN SIAVELIS: How far up is that water towards your property? So, basically to the west?

MR. PERKINS: In April, it got up to the patio, so into the garage, like by about halfway on the garage there up to the patio. So, it has been in our garage. It didn't this time because the garage is I guess permeable, but it was on the patio where we step off the house onto the patio.

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CHAIRMAN SIAVELIS: In fairness, you have a lot of concrete in your house. You've got a long driveway.

MR. PERKINS: Yes, we have a long, we have a detached garage in the back, yes.

CHAIRMAN SIAVELIS: Right, and it looks like you've got, right, a detached two-car garage and then you have a patio back there, and your driveway, the run of your driveway is about what, 125 feet?

MR. PERKINS: I don't think it's that far, but yes.

CHAIRMAN SIAVELIS: Because if you're 214 --

COMMISSIONER LANAGHAN: It's running past the house, right.

CHAIRMAN SIAVELIS: Yes. You're 214 deep as well, right?

MR. PERKINS: Yes, and I don't want to sound hypocritical because we do have a tear-down and, you know, we put up a larger house, and so I don't want to be hypocritical to the home design, I just want everybody to be aware of the flooding issue in our neighborhood that we hope to minimize. When we saw, when I saw the project and saw that the engineer had talked about this would increase the flooding, it just raised our antenna.

CHAIRMAN SIAVELIS: Okay, so to boil it down, are you opposed to both variances?

MR. PERKINS: No. I'm opposed to the second variance that would increase the flooding to the south as the way it's written. So, I do appreciate the, not that I totally understood what you were talking about, I appreciate the fact that you're trying to make it work, trying to make it happen. I appreciate the fact, you know, that 619 is so tall and how you want the garage on the side, that made sense.

I'd like to think there's something you could do with the tree so that they can narrow the size of the driveway. The grading issue, that's interesting, you know, if that could help things. I guess I'm asking that that part of the variance be reviewed and improved before it's approved I guess, whatever the terminology is.

MR. LABELLE: May I make one more comment?

CHAIRMAN SIAVELIS: You're going to have a chance to provide rebuttal comments.

MR. LABELLE: Okay.

CHAIRMAN SIAVELIS: So, we'll let Jim finish up.

MR. LABELLE: Sure, thank you.

CHAIRMAN SIAVELIS: Go ahead.

MR. PERKINS: So, that's it, that's it. I just want you to be aware of the issue and hope that you will make accommodations for that in your approval.

CHAIRMAN SIAVELIS: Okay, thank you, sir.

Joseph?

MR. LABELLE: Thank you, Jim, I appreciate that. My suggestion, I guess there's a couple of things. We're always aware of stormwater wherever we're building. I think that's quite a comment that comes up whenever a new home is coming up in the neighborhood.

So, you mentioned your water is generally at the rear, correct,

where it pools?

MR. PERKINS: Yes.

MR. LABELLE: Does it come from the north? So, it comes --

MR. PERKINS: Yes. It flows down. You can probably picture how the street just flows down to the north.

MR. LABELLE: Flows down, correct, yes. We noticed from the front, is it graded towards the street and you're getting it from the rear or from your driveway back, or is it that rear issue more from the properties that are north to you?

MR. PERKINS: It's from the properties, on the backyards from the properties. Pretty sure of it.

MR. LABELLE: From the backyards, okay, okay. So, my suggestion would be, and this is something we're already very conscious of, and we've actually already I think over-improved with what we've submitted for engineering with adding a new dry well to this property. So, that will of course help our property. I don't know how it will help yours, but it should, but I can't speak to that, but if the grading is coming south, our new dry well will capture more stormwater, there's a low point on our property where that's intentionally being placed.

So, theoretically, what that improvement would do, you might see some relief from that. The issue that --

CHAIRMAN SIAVELIS: So, will that create more water flow or less water flow?

MR. LABELLE: It should create less water flow, should create less because we are doing an underground dry well extending an existing condition significantly to limit any standing water on the property which we have not, I personally have not seen when I've gone out there during rains. But obviously, you live there so you've seen it on your property. The same thing could be helpful for your property, but that's a whole other thing that you might want to explore.

What I would suggest is where we are talking about doing our driveway, Engineering's pushback was specific to the front yard where their concern was drainage going from between 623 and 619 getting to the street, where we're proposing a turnaround with a small knee wall, it would impede that flow, but that water is going forward, it's not going backward. There's a very clear deliberate distinction where it starts going back.

So, that I believe with Engineering we'll work through where I think it actually will cause no problem at all. But the water at your yard at the back and our client's yard, it will not hurt it by any means. It will improve the conditions in the rear pretty substantially. I can't speak to how it will impact your yard except that there should be less water coming from their yard, at least to the south.

So, I guess that would be, again --

CHAIRMAN SIAVELIS: So, are you going to condition your variance request with the inclusion of that dry well?

MR. LABELLE: Sure, that's fine. Yes, and I think it would go to speak just in general, like I mentioned earlier, we always are very aware in town, in any town where you have 50-foot lots and homes so close to each other, now this is deep which is really helpful, but we always want to work with the Village to make

sure we are not causing any water problems. So, we will have the dry well, we actually want the dry well. It's not required.

CHAIRMAN SIAVELIS: And it's going to be in the backyard?

MR. LABELLE: In the backyard. There's a low point, can I show you where?

CHAIRMAN SIAVELIS: You may.

MR. LABELLE: So, behind, like if you go up right there just to the left, right about there straight up, right about there is the low point and it's clear that you can see it.

CHAIRMAN SIAVELIS: It's like a depression?

MR. LABELLE: It's a depression, correct. So, water travels that way. I don't know what happens straight to the south towards your property but it's going right there. There's a current dry well installed but it could have been on the west, I don't know, 15-20 years, it's in pretty good shape and we don't know the capacity of it. We're going to check the capacity of it, but we've designed something much larger regardless to add on to that.

So, and I think Engineering, especially hearing your comments and here you probably want to know the situation, and we want to make sure whatever we're doing, all we can do is maintain or improve our lot, but we also have to be aware of the neighboring properties, not to add any watershed to those properties. So, this will be doing that. The one in the front, again, I believe that's going to get rectified with engineering, but we would still request that variance be approved as we've submitted, you know, with knowing that the rear dry well should help with your situation. It certainly won't hurt it; I can put it that way.

COMMISSIONER GEISEL: But you were previously willing to also condition to that, to whatever the suggestions and work with Engineering.

MR. LABELLE: Yes.

COMMISSIONER GEISEL: The present turnaround, I think that's what Mike was focusing on.

MR. LABELLE: Correct, right.

COMMISSIONER GEISEL: That turnaround bumps into the side yard?

MR. LABELLE: Right.

COMMISSIONER GEISEL: And I think what he was flagging is the flow from --

MR. LABELLE: From east to west.

COMMISSIONER GEISEL: From east to west.

MR. LABELLE: Correct.

COMMISSIONER GEISEL: Because of that jutting out, but you're willing to, you can do a culvert or whatever.

MR. LABELLE: Yes.

COMMISSIONER GEISEL: So, that it would not --

CHAIRMAN SIAVELIS: Some measure subject to Engineering input.

MR. LABELLE: Correct. We're going to do, it would be the same type of thing, we would --

COMMISSIONER GEISEL: I was picking up off of that comment that

he had made --

CHAIRMAN SIAVELIS: Understood.

MR. LABELLE: Yes, we would.

CHAIRMAN SIAVELIS: Ben, do you have any concerns, comments here?

COMMISSIONER JAFFE: I'll wait for deliberations. Nothing to address directly with the Petitioner.

CHAIRMAN SIAVELIS: Gentlemen, anything else? Questions for the Petitioner?

COMMISSIONER DRAKE: You mentioned there had been some delays on that. Where are those again? Maybe I missed them.

MR. LABELLE: With us?

COMMISSIONER DRAKE: Well, with bringing this forward.

MR. LABELLE: Well, when we originally submitted this in December, it was --

COMMISSIONER DRAKE: Height, okay.

MR. LABELLE: Yes, height. Right, we had a height. Both Derek and Steve were really suggesting that we find a solution for that, and we did find that. So, we removed that.

COMMISSIONER DRAKE: I recall now, thank you.

MR. LABELLE: Yes, yes. So, yes, so again, the request is approval as submitted. To your point, we would request that, of course Engineering will review it and approve it in the typical process, so whatever we get approved here will be subject to Engineering's approval.

CHAIRMAN SIAVELIS: Okay. All right, if there's no other questions from the Board to the Petitioner, we can move to deliberation.

MR. LABELLE: Thank you.

CHAIRMAN SIAVELIS: Okay, I can start here. I was suspect and highly concerned just on the papers when I reviewed this petition and the two variances being sought, but Petitioner's representative did a good job of explaining the situation, very expansive, having been up here for 45 minutes.

There are some unique challenges here. I understand the preference for maintaining the garage on the right which would be on the south. I also fully recognize the issues presented by the tree, and frankly I'm shaking my head in that we're in this process because of a relatively young, newer tree and not a 50, 60-year-old elm or, you know, hardwood tree that permeates the Village or used to permeate the Village.

I do also appreciate Petitioner's willingness to abide by Engineering feedback and suggestions and put that dry wall, excuse me, dry well facility feature in the backyard at that depression. I think that shows a willingness to work and be a good neighbor and directly address the comments from Mr. Perkins, two doors down.

So, I'm in favor of both variances provided that we attach the conditions discussed and agreed to by the Petitioner's representative during the Q&A session.

COMMISSIONER LANAGHAN: Yes, I have a concern with the, you

know, the foundation wall or whatever we're calling the 12-foot stone wall being, you know, less than a foot off the property line. It's very concerning to me. Now, I'm sure there's ways Engineering can work around it but, you know, the inside face of that is a foot off of the property line which means there's literally, you know, if that's an eight-inch wall, you know, there's just four inches for water to get around that thing. That doesn't seem like a good design setup. To me that needs to be moved in some.

CHAIRMAN SIAVELIS: Meaning moved further north?

COMMISSIONER LANAGHAN: Correct. Correct. Now, you know, if Engineering can come up with a way, they can put a culvert and they can do something else under to make sure that that water flow is not cut off, you know, I'd be open to that I suppose. But that is a concern to me.

CHAIRMAN SIAVELIS: Okay, is that a no as presented or a modification --

COMMISSIONER LANAGHAN: That's an, I'm still noodling, I'm not sure how to go with that. You know, the side wall, you know, it's a nonconforming wall to start with. I'm not overly concerned with that. It's strictly the one foot --

CHAIRMAN SIAVELIS: And it's eight-tenths of a foot. It's eight-tenths of a foot, right? They're 4.2 off the south property line.

COMMISSIONER LANAGHAN: Correct.

CHAIRMAN SIAVELIS: And that wall is, you know, five is the setback, I mean, you're eight-tenths of a foot on that.

COMMISSIONER LANAGHAN: Right. That one doesn't bother me, right. The first one is fine. The second one, and quite frankly the reason I'm concerned about the second one is the location of that wall, that retaining wall.

COMMISSIONER GEISEL: That's my concern as well. I appreciate the desire to have a turnaround. Most people --

COMMISSIONER LANAGHAN: Don't, yes.

COMMISSIONER GEISEL: Don't. So, while I appreciate the benefit of that, there is also the impact to others by virtue of having that.

COMMISSIONER LANAGHAN: Right.

COMMISSIONER GEISEL: If it was at grade, maybe a little less of a difficulty, but with the grade, that photo that we saw, I mean, that could be a definite, almost like a dam for --

COMMISSIONER LANAGHAN: Rather than going east-west, yes.

CHAIRMAN SIAVELIS: Tom, any comments?

COMMISSIONER DRAKE: I agree with Jeff on the wall, that concern, but I also think that both of these variance requests, I think they've done a good job, like you said, Peter, explaining what they could do, what they would be willing to do with the water issue. So, I'm a little stuck at the moment. You suggested noodling, I'm noodling as well.

CHAIRMAN SIAVELIS: Okay, so before we solicit comments from the other Board members, if we approve as presented plus the commitment to the dry well in the backyard, they're still going to have to go for Engineering review. Engineering review could necessitate, correct me if I'm wrong here, Derek, adjustment of the driveway turnaround and this wall, is that correct?

MR. MACH: Regarding the dry well, we'd recommend that since it is an engineering issue, that it could be a recommendation, but it really should be determined and reviewed by Engineering.

CHAIRMAN SIAVELIS: Okay, so not the dry well. We're going to condition that as being in there because of the representations made by the Petitioners.

MR. MACH: So, more of a recommendation that they, sure, but you're asking about the setback and can it be --

CHAIRMAN SIAVELIS: So, I'm talking about the --

COMMISSIONER LANAGHAN: You're talking about the setback for the turnaround and the driveway.

CHAIRMAN SIAVELIS: The turnaround and the driveway, right. So, even if we granted it as presented, hypothetically speaking, Engineering review can still adjust that and require a modification to resolve Engineering Department concerns, correct?

MR. MACH: So, it would be a motion pending Engineering approval basically.

COMMISSIONER LANAGHAN: Subject to Engineering review and verification of the water flow or whatever.

CHAIRMAN SIAVELIS: In conformity with Engineering standards.

COMMISSIONER DRAKE: But if they take that back, does that mean the Petitioner might have to come back for another variation?

MR. MACH: I guess, I mean, the --

CHAIRMAN SIAVELIS: Depending upon how severe the kickback is from the Engineering Department, the hypothetical kickback you're talking about?

COMMISSIONER DRAKE: Yes.

CHAIRMAN SIAVELIS: There's a possibility that that could occur, but at least the Petitioner can move forward in the process with an understanding of what this Board says subject to what the Engineering Department says, right? The key thing is you can't leverage the two entities against each other, right? If we vote for the second variance, it's going to be subject to approval and review by the Engineering Department.

COMMISSIONER GEISEL: No, we're giving them the relief and --

CHAIRMAN SIAVELIS: No, Derek said we can condition it.

MR. MACH: Staff would prefer the Zoning Board to --

CHAIRMAN SIAVELIS: Yes, but unfortunately, this is not that situation, right? This is the situation, this is the outlier to the outlier. I'll beat the drum again, and it's caused by some parkway tree that's presenting us with this problem. So, in my eyes, I'm willing to condition it in this regard because the Petitioners have shown a willingness to work with the Village or willingness to work with their neighbors, and frankly there is no clear-cut solution here that is I think appealing to everybody.

So, if we condition our approval on variance two, they're still going to have to be in the process. We don't circumvent the Engineering Department in that regard.

COMMISSIONER JAFFE: Would the condition be necessary if the

Petitioner submitted paperwork earlier and allowed Engineering to review it for this proceeding?

CHAIRMAN SIAVELIS: That's a hypothetical. I don't know --

COMMISSIONER JAFFE: Well, it's not, I mean, I guess it's somewhat hypothetical, but I mean, this is a petition that's been delayed a couple of times. So, I guess a lot of what we're --

CHAIRMAN SIAVELIS: Wrestling with?

COMMISSIONER JAFFE: Theorizing, would that have been, I know, you know, coulda-woulda-shoulda, but had that been done, because now we are placing some faith that these conditions will be reviewed and that an approved accordingly after the fact.

MR. MACH: So, the Zoning Board is leaning towards granting the 31-foot driveway width variation with the condition that, if determined by Engineering, that a three-foot setback is necessary for drainage there?

COMMISSIONER LANAGHAN: Yes, I was going to phrase it potentially a maximum of 31 foot subject to Engineering's approval and, you know, verification of water flow or good engineering practices.

CHAIRMAN SIAVELIS: Right, because --

COMMISSIONER LANAGHAN: Something like that, so that we have a limiter on how big it can be but gives the Engineering the ability to push it back if they need that room.

CHAIRMAN SIAVELIS: Yes, that's what I was going with, because instead of us trying to take a stab at it and saying, okay, if you can't get the three feet, will you take --

COMMISSIONER LANAGHAN: Whether it's 30 feet or --

CHAIRMAN SIAVELIS: Yes, right, right. We just put a maximum, that there's a maximum on it from which Engineering Department can throttle back or tune down the extent of the turnaround there, right? That I think is the best result for this particular situation. Well, actually I think there's a better result, but --

COMMISSIONER LANAGHAN: -- right?

MR. LABELLE: That's correct. Am I able to say anything now or is it still deliberation?

COMMISSIONER LANAGHAN: No, no.

CHAIRMAN SIAVELIS: No, we're closed now.

MR. LABELLE: I'm sorry.

CHAIRMAN SIAVELIS: Just shake your head yes or no, that's about it.

COMMISSIONER GEISEL: He testified that they were hopefully at grade. So, the Engineering shakedown has yet to occur --

COMMISSIONER LANAGHAN: Right.

COMMISSIONER GEISEL: -- and he was hopeful that they'd actually get it.

COMMISSIONER LANAGHAN: Yes, 31 feet might be fine, or it might need to get shorter because of drainage requirements.

CHAIRMAN SIAVELIS: Yes.

COMMISSIONER GEISEL: That's the part, if we can condition that,

then --

CHAIRMAN SIAVELIS: As to variance two.

COMMISSIONER GEISEL: Yes.

MR. MACH: So, to clarify, if Engineering says we need the three feet, then the Petitioner needs to --

COMMISSIONER LANAGHAN: Then it becomes a 28-foot or whatever.

COMMISSIONER GEISEL: Subject to whatever other, whatever else they need to do as part of that construction. There's still a lot for that grade. You can't just build that and block off flow and let the water sheet down to your neighbor's and say --

CHAIRMAN SIAVELIS: Sorry.

COMMISSIONER GEISEL: That's too bad, sorry. That's not appropriate, because you don't do the turnaround as well.

CHAIRMAN SIAVELIS: So, why don't you state, Derek, what you think the right terminology is and then we'll tinker with it and potentially move on it?

MR. MACH: Just, yes, to summarize, then for the second variance, the Zoning Board has indicated they want to make a motion to approve the driveway with the length of 31 feet subject to Engineering approval with the condition that if Engineering determines that three feet is necessary in order to allow for proper drainage, the Petitioner will have to pull the driveway back up to three feet.

COMMISSIONER DRAKE: Should there be an up inserted rather than at 31 feet or up to 31 feet?

COMMISSIONER LANAGHAN: Well, the way it's written, and I've thrown in maximum but that's actually the way it's written, allow a driveway with a maximum width of 31 feet. It could say up to a maximum width --

COMMISSIONER DRAKE: I guess that's the same. It's just another way of saying it.

COMMISSIONER LANAGHAN: Yes, I suppose, yes.

CHAIRMAN SIAVELIS: Okay, with that in mind, I'm thinking that maybe we, to make this easier and concise for the record, we have two separate motions, okay? Right, we vote on them that way, because the second motion, if there is one for the second variance, is more complex, okay.

So, accordingly, is there a motion to approve the first variance sought?

COMMISSIONER LANAGHAN: Sure, I'll take a stab at it. Do you want me to read the whole thing, or --

CHAIRMAN SIAVELIS: Yes, or you can paraphrase.

COMMISSIONER LANAGHAN: Yes, no.

So, I move to approve the 0.8-foot variation for ZBA Case #23-004 as requested.

CHAIRMAN SIAVELIS: Is there a second?

COMMISSIONER DRAKE: Second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.
COMMISSIONER GEISEL: Yes.
MR. MACH: Mr. Jaffe.
COMMISSIONER JAFFE: Yes.
MR. MACH: Mr. Lanaghan.
COMMISSIONER LANAGHAN: Yes.
MR. MACH: Mr. Portera.
COMMISSIONER PORTERA: Yes.
MR. MACH: Chairman Siavelis.
CHAIRMAN SIAVELIS: Yes.

Okay, turning now to the second variance sought, is there a motion to either approve as sought or as modified in the manner contemplated by the Board and discussed by the Board and in view of the discussions with the Petitioner and his representative?

COMMISSIONER LANAGHAN: Okay.
CHAIRMAN SIAVELIS: You're on a roll, Jeff.
COMMISSIONER LANAGHAN: I'm on a roll as you ever do. I move to approve a driveway variation allowing up to a maximum of 31 feet subject to Engineering's review and approval of drainage associated with same.

Is that what we needed or do I need to put a limit on how far back they can push it, Derek?

MR. MACH: I would recommend that, regarding the three feet, if determined necessary.

COMMISSIONER LANAGHAN: Is the three-foot, so I had, you know, going back and reading, they had the three-foot on the 75-foot wide lot, I don't know that the three-foot is necessarily conditional on this width of lot.

Am I wrong on that?

MR. MACH: On lots 70 feet or greater, a three-foot setback is required unless a particular situation strictly regarding the drainage.

COMMISSIONER LANAGHAN: Got you. So, this is only a 50-foot lot, correct?

MR. MACH: Yes.

COMMISSIONER LANAGHAN: So, up to three-foot. Okay, so insert --

CHAIRMAN SIAVELIS: Wait, wait, wait, wait, wait. My view is that that's a motion, right, and hopefully there's no second on that. We'll give you a chance to --

COMMISSIONER LANAGHAN: There's not one yet, yes.

CHAIRMAN SIAVELIS: Yes, give you a chance to restate the motion a little tighter without Derek's feedback on it and then we'll second that. It's cleaner.

COMMISSIONER LANAGHAN: Got it.

CHAIRMAN SIAVELIS: Okay, so is there a second to Mr. Lanaghan proposed motion for the second variance?

(No response.)

CHAIRMAN SIAVELIS: Hearing none, Mr. Lanaghan, do you have another motion for the second variance?

COMMISSIONER LANAGHAN: I do, as it turns out. I move to approve a driveway variation for up to a maximum of 31 feet subject to Engineering's review and approval of drainage where they could reduce that by up to three feet.

CHAIRMAN SIAVELIS: Thank you, Mr. Lanaghan, well stated.

Is there a second to that motion?

COMMISSIONER DRAKE: Second.

CHAIRMAN SIAVELIS: Thank you.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka. I'm sorry, Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRMAN SIAVELIS: Yes.

Congratulations.

MR. LABELLE: Thank you so much.

CHAIRMAN SIAVELIS: Okay, I almost forgot, I'm so sorry.

Next phase, comments from the public in regards to Board activities I guess.

MR. PERKINS: I just want to say one more time how much I appreciate what you guys do, because this is, I was under District 214 School Board for 10 years. I know exactly what you were trying to do there to get the language correct and how hard it can be and how much work you do behind the scenes. So, you know, Arlington Heights is a great place to live and this is a part of it that makes it so. Thank you very much.

CHAIRMAN SIAVELIS: Thank you, Mr. Perkins. That's greatly appreciated.

COMMISSIONER LANAGHAN: Thank you.

CHAIRMAN SIAVELIS: All right, hearing no other comments, do we have a motion to adjourn?

COMMISSIONER LANAGHAN: So moved.

CHAIRMAN SIAVELIS: All in favor?

(Chorus of ayes.)

CHAIRMAN SIAVELIS: Any opposed?

(No response.)

CHAIRMAN SIAVELIS: Hearing none, we are adjourned.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 8:48 p.m.)

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Zoning Board of Appeals
6/12/2023

Item: 430 W. Whitehall Dr. - 5/8/23

Department: Planning & Community Development

ATTACHMENTS:

Description	**Type**
430 W Whitehall Dr - 5/8/23 Findings	Minutes
430 W. Whitehall Dr. - 5/8/23 Minutes	Minutes

ZONING BOARD OF APPEALS
VILLAGE OF ARLINGTON HEIGHTS

FINDINGS
MAY 8, 2023

PETITIONER: Dumlao Residence

ADDRESS OF PROPERTY: 430 W. Whitehall Dr.

VARIATION: 10.2-11.1b (Parking in Yards-Driveway Width)

A 5' variation to allow a driveway with a width of 27' where a maximum width of 22' is permitted.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that there are two medical professionals in the home and that they do not have a set work schedule. The petitioner testified that there are currently three drivers in the home and there will soon be a fourth. The petitioner explained that one of the vehicles is a company car that the children are not permitted to drive.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood. Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Jaffe and seconded by Mr. Lanaghan. Thereafter, the Board voted 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Peter Siavelis, Chair
Zoning Board of Appeals
Village of Arlington Heights

ZONING BOARD
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OF APPEALS

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

RE: 430 WEST WHITEHALL DRIVE - ZBA #23-010

REPORT OF PROCEEDINGS had before the Village of Arlington Heights Zoning Board of Appeals taken at the Arlington Heights Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room, Arlington Heights, Illinois on the 8th day of May, 2023 at the hour of 7:00 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairman
TOM DRAKE
JEFFREY LANAGHAN
JOSEPH GEISEL
BENJAMIN JAFFE
FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner

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CHAIRMAN SIAVELIS: All right, let's call this meeting to order. Welcome, everyone, to the Village of Arlington Heights Zoning Board of Appeals. Today is May 8th, 2023.

First item of business, roll call.

MR. MACH: Chairman Siavelis.

CHAIRMAN SIAVELIS: Here.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Here.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Here.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Here.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Here.

MR. MACH: Mr. Selbka.

(No response.)

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Here.

CHAIRMAN SIAVELIS: All right, folks, stand for Pledge of Allegiance. The flag is right there.

(Pledge of Allegiance recited.)

CHAIRMAN SIAVELIS: Okay, have the Board members had an opportunity to review the prior meeting's draft minutes?

(Chorus of yeses.)

CHAIRMAN SIAVELIS: Okay, are there any proposed revisions or edits to those draft minutes?

(No response.)

CHAIRMAN SIAVELIS: Okay, hearing none, do we have a motion to approve?

COMMISSIONER LANAGHAN: I motion to approve the minutes.

COMMISSIONER JAFFE: Seconded.

CHAIRMAN SIAVELIS: All in favor?

(Chorus of ayes.)

CHAIRMAN SIAVELIS: Any opposed?

(No response.)

CHAIRMAN SIAVELIS: Hearing none, the motion carries.

Okay, moving on to tonight's meeting. Folks, there are some procedures and protocols for the meeting to keep the meeting moving in an efficient and orderly manner, and there are some ground rules as well. So, let's go through those at this point in time.

If less than six members are present, the petitioner has an option to continue the meeting because, remember that it takes four affirmative votes to approve a variance regardless of the number of Board members in attendance. If denied, a petitioner cannot reapply for a whole year. So, there is a preclusive effect for a denial, okay?

Tonight, we will have a Staff presentation which entails a

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project overview of the variance given for each of the five petitions that will be provided by Derek. Then you will have a chance, the petitioners will have a chance to speak on behalf of their petition.

There are four elements necessary to establish in order for the Board to be able to grant a variance:

1. That the proposed use will not alter the essential character of the locality and will be compatible with the existing uses and zoning of nearby property;
2. That the plight of the owner is due to unique circumstances which may include the length of time the subject property has been vacant as zoned;
3. That the proposed variation is in harmony with the spirit and intent of Chapter 28 of the Village's Code; and
4. That the variance requested is the minimum variance necessary to allow for reasonable use of the property.

So, a variance is granted and permitted only if the evidence, in the judgment of this Board of Appeals, sustains each of the four conditions enumerated. Keep in mind, it is your responsibility as the petitioner to touch on each of the four elements and establish them. It is not our responsibility to pull that evidence and those findings and those facts out from you. We have denied variances in the past when the petitioner cannot establish facts that support each of the four elements, okay, it is your burden. Those elements are consistent with the paperwork that was provided to you and that you filled out and submitted to the Village.

Okay, we have five petitions tonight, which is a heavy load. So, we're going to ask the petitioners to make sure that they are speaking in a concise manner while still addressing the four elements.

Given the papers that have been provided to us and the materials that have been provided to us, in regards to Petition A, 643 North Beverly Lane, ZBA #23-004, are there any comments from the Board members in regard to the sequence?

COMMISSIONER JAFFE: Yes, Mr. Chair. Given the size and complexity of that petition, I would like to make a motion that we adjust this evening's agenda to go in the order of B, C, D, E, A.

CHAIRMAN SIAVELIS: Okay, I understand that motion.

Do we have a second for that motion?

COMMISSIONER DRAKE: Second.

CHAIRMAN SIAVELIS: Voice vote, Derek?

MR. MACH: Yes, all in favor.

CHAIRMAN SIAVELIS: All in favor?

(Chorus of ayes.)

CHAIRMAN SIAVELIS: Any opposed?

(No response)

CHAIRMAN SIAVELIS: Hearing none, that motion carries.

So, folks, what we did there is we just adjusted the flow of today's, tonight's new business and petitions. In part we do that because the other four petitions are rather straightforward. Their complexity is far less, and oftentimes we do that to try and make things go a little smoothly, more smoothly and not keep

the latter petitions here for the entirety when they can be dispensed with and addressed in a much more, you know, fast and rapid manner.

Okay, so with that in mind, we're going to start with Petition B, 430 West Whitehall Drive, ZBA Petition #23-010.

Derek, you have the floor.

MR. MACH: Thank you, Chairman. The Petitioner is proposing to increase the width of the driveway. The proposed expansion results in a driveway with a width of 27 feet where the maximum width of 22 feet is permitted. In addition, per code for a zoning lot with a lot width of 70 feet or greater, pavement must be set back at least three feet from the side lot line.

Therefore, the Petitioner is requesting a five-foot variation from Chapter 28, Section 10.2-11.1b to allow a driveway with a width of 27 feet where the maximum width of 22 feet is permitted, as well as a two-foot variance from Chapter 28, Section 10.2-11.1e to allow a driveway with a side yard setback of one foot from the southwest property line instead of the minimum required three feet.

Thank you, Chairman.

CHAIRMAN SIAVELIS: Great. Thank you very much, Derek.

Okay, who here is speaking on behalf of that first petition? Come on up, sir. Have you signed in?

MR. DUMLAO: Yes.

CHAIRMAN SIAVELIS: Okay, great. What's your first name?

MR. DUMLAO: Raffy Dumlao.

CHAIRMAN SIAVELIS: Raffy, raise your right hand please, repeat after me.

(Witness sworn.)

CHAIRMAN SIAVELIS: Okay, please proceed.

MR. DUMLAO: So, as he had mentioned, we're trying to get our driveway increased from 16 with an additional 10 feet. That's because our unique circumstance is that my wife and I are both nurses. We have an extra driver now, my daughter is driving and my son will be driving at the end of this month.

Given the fact that I don't have a particular set schedule, sometimes I'm on call, I get called in at 2:00 in the morning or even come home at midnight, so moving the cars around every night is a little bit of a difficulty. Again, my wife is also a nurse, and she actually has a company car that I'm the only one that could drive and her. Our kids are too young to be driving that car. So, between right now we have three cars that are moving around, it's difficult for us to do that.

Also, we have a lot of young kids now that, the corner of my house, that's where the school bus would probably have up to 10 children, and I hate to block the driveway. Sometimes, again, if I come home at 7:00 or 8:00, my daughter would need her car. I can't wait until she moves and whatnot.

Within the two blocks, northeast, southwest of my house, I count about 17 houses with a driveway greater than 22 feet. Within the neighborhood, it's countless. There's a bunch of houses with multiple at least 27 feet wide driveway.

COMMISSIONER GEISEL: So, one of the things that we want to

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hear, are you replacing the entire driveway? So, will it be an entirely new driveway?

MR. DUMLAO: Yes. The current one is 16 inches and it's messed up.

COMMISSIONER GEISEL: 16 feet?

MR. DUMLAO: Yes. It needs to be refinished or repaved.

COMMISSIONER GEISEL: Okay, the difficulty that I had in reviewing the materials that you submitted is that, so in this drawing, it looks almost as if that far corner when you extend the driveway is near the corner of your concrete sidewalk. Yet, can you go to the exhibit right before that again? That would obviously be like four feet or so on the other side of the sidewalk-ish, somewhere in there. It's not dimensioned so you couldn't tell.

MR. DUMLAO: Yes.

COMMISSIONER GEISEL: Relative between your sidewalk and your property. So, I understand the need for the driveway and the expansion, all of that. I'm just having some difficulty with the need to be one foot from your neighbor's property line. Does that make sense?

MR. DUMLAO: No, I'm not following you, sorry.

COMMISSIONER GEISEL: So, one of the variances that's requested here is that you're supposed to maintain three feet from your property line. Based on these documents, I'm having some trouble kind of figuring out exactly where that would go and why it would need to be one foot off their property line. It would seem like you should be able to maintain the three-foot setback and still get your 27 feet, still have a spot to put your car, and would not be one foot off your neighbor's property line.

So, that's what I'm trying to figure out. Your drawings aren't dimensioned, so I'm struggling with that.

MR. DUMLAO: Sure. Again, it's my contractor, whoever I hired, that's what they gave me. I wasn't aware of the drawings, that was just based on what they have, but obviously, it's going to be whatever the code would be is what we would ask.

COMMISSIONER GEISEL: Well, and that's what you're effectively looking for is relief from that, which again, I have no, I understand what you're asking for and I'm supporting that. It's just what I personally, I don't know with the rest of the Board, I'm just trying to figure out why there is the need for the additional variance with respect to that side yard setback. So, for me that's what I was hoping to address. I'm not sure where that stands.

MR. DUMLAO: Yes. So, currently it's 16 feet.

COMMISSIONER GEISEL: 16 feet, right.

MR. DUMLAO: And perhaps we can add eight feet to meet the code, and that would be enough to park a car. So, rather than 11 --

COMMISSIONER GEISEL: I would agree with any width that would get you to the three-foot or keep you to the three-foot.

MR. DUMLAO: Yes, that'll be eight.

COMMISSIONER GEISEL: Whether that's nine feet or eight feet.

MR. DUMLAO: Oh, it's actually nine. I'll take whatever --

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COMMISSIONER GEISEL: That's what I was trying to filter through. I'm not sure if anybody else has some questions on that.

COMMISSIONER LANAGHAN: No, I was with you on that. There was, I'm trying to do the math, you know. Okay, if the driveway is centered on the 21-foot, you know, that leaves eight.

COMMISSIONER GEISEL: Two-foot for each --

COMMISSIONER LANAGHAN: Yes, so obviously, that'll work, yes. So, I'm with you. I don't know why we couldn't keep it at three-foot off. I understand what you're trying to do and it certainly makes sense to not be waking people up in the middle night to shift cars around, certainly with respect to your profession. But if you could keep it three-foot off, I think that would be a lot easier for me to support.

MR. DUMLAO: Yes, okay. As long as I could park the car. Again, I'm not the expert. I'd just ask I want to park a car there.

COMMISSIONER GEISEL: Would you be willing to modify your ask for it?

MR. DUMLAO: Absolutely. Absolutely.

CHAIRMAN SIAVELIS: As to the second variance?

COMMISSIONER GEISEL: Second variance. Those are my questions. I'm not sure if anybody else on the Board has any.

CHAIRMAN SIAVELIS: So, Derek, if he's willing to modify and follow code as to the second variance, the request for the second variance essentially drops off, right? It's moot?

MR. MACH: Correct. So, the Petitioner is withdrawing the motion for the second, so yes.

CHAIRMAN SIAVELIS: Okay, do you understand that?

MR. DUMLAO: No.

CHAIRMAN SIAVELIS: Okay, tell him what the deal is, Joe.

COMMISSIONER GEISEL: You will be granted the ability to construct a 27-foot wide driveway.

MR. DUMLAO: Okay.

COMMISSIONER GEISEL: You just need to maintain the three feet from the side of that driveway to your property line.

MR. DUMLAO: All right, sounds good.

CHAIRMAN SIAVELIS: Okay, so do you agree to that modification?

MR. DUMLAO: Yes, sir.

CHAIRMAN SIAVELIS: Okay, so that essentially makes your second variance you sought moot, right? It's withdrawn?

MR. DUMLAO: Yes.

CHAIRMAN SIAVELIS: You understand it?

MR. DUMLAO: Now I do.

CHAIRMAN SIAVELIS: Okay, any other questions?

(No response.)

CHAIRMAN SIAVELIS: All right, we're going to move to the next phase.

MR. DUMLAO: Thank you.

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CHAIRMAN SIAVELIS: I'm sorry, Joe, did you have anything else?
COMMISSIONER GEISEL: No.
CHAIRMAN SIAVELIS: So, are there any questions from the audience in regard to this variance and this petition only?
(No response.)
CHAIRMAN SIAVELIS: All right, hearing none, we don't need to hear a response from the Petitioner. We'll go to deliberations of the Board.
Go ahead, Joe.
COMMISSIONER GEISEL: I would support this request with the modification that the three-foot side yard setback be maintained, and so only the first variance would be granted.
CHAIRMAN SIAVELIS: So, with that, do we have a motion?
COMMISSIONER JAFFE: I have a motion to approve the first request of this petition.
CHAIRMAN SIAVELIS: And the first request only?
COMMISSIONER JAFFE: And the first request only.
COMMISSIONER GEISEL: Second.
MR. MACH: Mr. Drake.
COMMISSIONER DRAKE: Yes.
MR. MACH: Mr. Geisel.
COMMISSIONER GEISEL: Yes.
MR. MACH: Mr. Jaffe.
COMMISSIONER JAFFE: Yes.
MR. MACH: Mr. Lanaghan.
COMMISSIONER LANAGHAN: Yes.
MR. MACH: Mr. Portera.
COMMISSIONER PORTERA: Yes.
MR. MACH: Chairman Siavelis.
CHAIRMAN SIAVELIS: Yes. Congratulations, your variance is granted. You don't have to stay if you don't want to. As thrilling and enthralling as this may be, if you have something else to do, you're not going to hurt our feelings by leaving.
MR. DUMLAO: I just want to pick up the kids tonight.
CHAIRMAN SIAVELIS: Okay, when the building closes, you have to leave then.
MR. DUMLAO: It closes at midnight, right?
(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:15 p.m.)

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Zoning Board of Appeals
6/12/2023

Item: 215 W. Fremont St. - 5/8/23

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
215 W Fremont St - 5/8/23 Findings	Minutes
215 W. Fremont St - 5/8/23 Minutes	Minutes

ZONING BOARD OF APPEALS
VILLAGE OF ARLINGTON HEIGHTS

FINDINGS
MAY 8, 2023

PETITIONER: Kammerer Residence

ADDRESS OF PROPERTY: 215 W. Fremont St.

VARIATION: 5.1-3.3 (Required Minimum Yards)

A 3.2' variation to allow an addition (porch) with a front yard setback of 19.1' instead of the required 22.3' and an additional 1.0' for the eave; A 1.9' variation to allow an addition with an exterior side yard setback of 8.1' instead of the required 10.0' and an additional 1.0' for the eave.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that they are proposing to add a wrap around porch to the existing home. The petitioner further testified that the proposed porch is encroaching into the required front yard setback and the required exterior side yard setback. The petitioner explained that they are proposing a code compliant addition in the rear of the home as part of the project. The petitioner explained that aesthetically the porch is in character with the home and neighborhood.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood. Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Drake and seconded by Mr. Geisel. Thereafter, the Board voted 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Peter Siavelis, Chair
Zoning Board of Appeals
Village of Arlington Heights

ZONING BOARD
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OF APPEALS

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

RE: 215 WEST FREMONT STREET - ZBA #23-011

REPORT OF PROCEEDINGS had before the Village of Arlington Heights Zoning Board of Appeals taken at the Arlington Heights Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room, Arlington Heights, Illinois on the 8th day of May, 2023 at the hour of 7:15 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairman
TOM DRAKE
JEFFREY LANAGHAN
JOSEPH GEISEL
BENJAMIN JAFFE
FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner

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CHAIRMAN SIAVELIS: Okay, moving right along to 215 West Fremont Street, ZBA Petition #23-011.

Derek?

MR. MACH: Thank you, Chairman.

The Petitioner is proposing to add a wrap-around porch to the existing home. The Petitioner is also proposing a code-compliant addition in the rear of the home as part of the project. The proposed porch is encroaching into the required front yard setback and the required exterior side yard setback.

Therefore, the Petitioner is requesting a 3.2-foot variation from Chapter 28, Section 5.1-3.3 to allow an addition/porch with a front yard setback of 19.1 feet instead of the required 22.3 feet, and an additional one foot for the eave; as well as a 1.9-foot variation from Chapter 28, Section 5.1-3.3 to allow an addition with an exterior side yard setback of 8.1 feet instead of the required 10 feet, and an additional one foot for the eave.

Thank you, Chairman.

CHAIRMAN SIAVELIS: Great. Thanks, Derek.

All right, who's speaking on behalf of this petition?

MRS. KAMMERER: A lot of us.

CHAIRMAN SIAVELIS: All four of you?

MR. ECKHARDT: I just wanted, I'm the architect of record, Ted Eckhardt. I'm a Design Commission member, so I'm going to be recusing myself. I just came to introduce the Kammerers, Kerry and Jack, and Mike Hamman from my office. Now I'll recuse myself.

CHAIRMAN SIAVELIS: Thank you, sounds good. Okay, have you all signed in?

MRS. KAMMERER: Yes.

MR. KAMMERER: Yes.

CHAIRMAN SIAVELIS: Okay.

MRS. KAMMERER: And I'm Kerry.

CHAIRMAN SIAVELIS: Okay, hold on one second.

MRS. KAMMERER: I was trying to speed it all as fast as I could.

CHAIRMAN SIAVELIS: Okay, understood.

MR. KAMMERER: This is Jack.

CHAIRMAN SIAVELIS: Jack, okay.

MR. HAMMAN: Mike Hamman.

CHAIRMAN SIAVELIS: Mike, okay. All right, we'll swear --

COMMISSIONER GEISEL: For the record, I have met the Petitioners previously, but my relationship is not one that I feel the need to recuse myself. I just wanted to put that out there.

CHAIRMAN SIAVELIS: Sounds good, thank you.

All right, folks, raise your right hand.

(Witnesses sworn.)

CHAIRMAN SIAVELIS: Okay, go ahead.

MRS. KAMMERER: Okay, Kerry. We've been in the house at 215 West Fremont for about 10 years, and we absolutely love the location. We have a five and a two-year-old, so, you know, some of the things that worked for us pre-

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kids, you know, isn't necessarily working today. So, there are some functionality issues that we're trying to address, although some of that we're not discussing today. You know, relocating our garage is largely due to creating a safer space in the backyard for the kids. They're currently rolling their bikes directly into the street, so that's a big driving factor.

Then aesthetically, you know, we have this really prominent corner here at Memorial Park in the, you know, charming historical district. Our architect very kindly refers to it as unremarkable but he's being very kind. That's just a flat, ugly box on the side. So, we're just trying to add, you know, a little more charm to the neighborhood. Most of our neighbors, especially people who've moved in recently, that's been part of their renovations to the home is adding that front porch or wrap-around porch. So, we feel right now we're not really contributing a whole lot to the character of the neighborhood, and we think this, you know, for us solves a lot of issues for us functionally, and then adds a lot of, you know, aesthetic charm to the neighborhood.

We have made the rounds with our neighbors and showed everyone the plans. So, I have a letter with some information on that. I'm not sure who I should --

CHAIRMAN SIAVELIS: Have you given this letter already to Derek before?

MRS. KAMMERER: No.

CHAIRMAN SIAVELIS: Okay, so if, because once you hand it over, it's ours. It goes in the file.

MRS. KAMMERER: That's fine.

CHAIRMAN SIAVELIS: Okay, and Derek, have you received any e-mails or any correspondence from Village residents? No?

MR. MACH: No.

CHAIRMAN SIAVELIS: Okay, go ahead, you can give it to Derek.

Is there just one copy?

MR. KAMMERER: Yes.

MR. MACH: I can read it into the record real quick.

COMMISSIONER GEISEL: But you could give him a copy back if necessary?

CHAIRMAN SIAVELIS: Did you retain a copy?

MRS. KAMMERER: We have a copy.

COMMISSIONER GEISEL: Okay.

MR. MACH: As long-time residents of the HANA neighborhood, we understand the need to maintain the very special character of this historic street in Arlington Heights. Our appreciation for the unique character of this neighborhood is so that very reasonably we've decided to further invest in our home. Over the past several weeks, we have visited with neighbors to present our plans and we have received overwhelming support for the proposed renovations.

This letter is to confirm that below neighbors have reviewed and verbally approved the proposed elevation drawings for 215 West Fremont Street. It includes: 114 West Fremont, 121 West Fremont, 209 West Fremont, 210 West Fremont, 212 West Fremont, 215 West Fremont, 216 West Fremont, 300

West Fremont, 316 West Fremont, 406 West Fremont, 407 North Chestnut, 208 West St. James, 206 West St. James.

Thank you for your review and consideration of our project.

CHAIRMAN SIAVELIS: Thanks, Derek, appreciate it. So, have anybody, have you received any negative feedback from the neighbors or any pushback whatsoever?

MRS. KAMMERER: No.

CHAIRMAN SIAVELIS: Okay, continue on with your presentation.

MR. HAMMAN: Okay, I'm going to answer the four big questions. I hereby state that the proposed use will not alter the essential character of the locality and be compatible with the existing uses and zoning of nearby properties if the variations were granted. This area of homes is considered to be historic in character and the homes are dated back to the early days of Arlington Heights. The existent setbacks of the homes along Chestnut are very close to the lot lines. The duplex home at the southern end of Chestnut is 9.7 feet from the lot line. The next home to the north and adjacent to 215 Fremont is 7.2 feet from the lot line, and its entrance stair is on the property line.

The character of homes on Chestnut Street will not be altered and will complement the homes as they all now have porches. Of the homes nearby 215 West Fremont Street, on the north side five of the seven homes have porches. On the south side of Fremont, half of the homes have porches. The wrap-around porch requested is a continuation of a preexisting architectural trend in this lovely neighborhood.

I hereby state that the plight of the owner is due to unique circumstances which may include the zoning and location of the property. The corner of Fremont and Chestnut is the visual entrance to the Memorial Park triangle. The owner wishes to take advantage of the views of the park from the west side of their home. Currently, the elevation of the west side is mostly a blank solid wall that lacks windows. The porch, if permitted, will provide for a wonderful place to sit outside and enjoy the park. The request is for a single-story, open covered porch that is not tall and will reflect the structures adjacent to 215 West Fremont in a way that is respectful to the neighborhood and compatible to the unique existing character of the neighborhood.

I hereby state that the proposed variation is in harmony with the spirit and intent of this chapter. The chapter provides for an owner to seek variations that will be in harmony, fit and not change the character of the neighborhood, and at the same time not alter the valuation of nearby homes. I believe the exhibits and testimony have demonstrated that. If granted, this request will provide a long-lasting enhancement to the homes adjacent to Memorial Park, Fremont and Chestnut Streets.

I hereby state the variation request is the minimum variance necessary to allow reasonable use of the property. The request for the wrap-around porch is at seven feet. It is the appropriate distance to allow seating and someone to walk by in circulation. So, it's not a huge, deep porch. It will also be in the minimum depth to accomplish this and use the porch comfortably.

The visual appearance of the porch is also especially

important to improve the elevation on the west side facing the park and complement the neighboring homes on Chestnut. So, you can see our elevation before that is just a blank slate of siding and a few random windows. I think it enhances, yes, the top right is the existing, and if you scroll down, that's with the added porch, and it adds a nice architectural element to the neighborhood.

In conclusion, we hope that the Board grants approval and we open up to their questions.

COMMISSIONER JAFFE: So, all of the four requirements I thought were spoken to and the questions I did have to the time and residence's number of people were addressed. So, I don't have any questions. They were all answered as part of the presentation. I'll cede the rest of my time to the other Board members if there are any questions.

CHAIRMAN SIAVELIS: So, a garage is being added in this project as well?

MR. HAMMAN: Yes, but that's code compliant.

CHAIRMAN SIAVELIS: Okay, any other questions? That was the only thing I had. And I'd like to thank you and Mr. Eckhardt for submitting a thorough petition that may review easy and expedite the process.

MR. HAMMAN: Thank you.

CHAIRMAN SIAVELIS: If everybody did that, this would go a lot faster. So, kudos to you guys for doing what you're supposed to in that regard.

So, you could take a seat. Let's see if there's any comments from other residents in regards to this petition and this petition only.

Come on up, sir.

MR. GAYNOR: Sure. Hi, good evening. I'm Tom Gaynor, I live at 208 West Fremont. I was out of town so I didn't get to sign the letter that went around the neighborhood, but we are obviously wildly in favor of this. It's a terrific addition to our neighborhood.

I'm also President of HANA, the Historic Arlington Neighborhood Association. So, this is something that the greater neighborhood looks at very favorably as well. So, really no issue at all with approving.

I do want to thank this Board. I was here 20 years ago looking for the same variance for our front porch, and it's a game changer. It really is an amazing addition to adding character to the houses and actually recreates a lot of what probably was there years ago. So, thank you. Many thanks for the Board's approval of a very similar variation a couple of decades ago.

So, that's all I wanted to say, but I do have one comment, if I can editorialize just for a second. When Norm retired and moved to Florida about 10 years ago --

COMMISSIONER JAFFE: I'm sorry, who's Norm?

MR. GAYNOR: Norm was the prior owner of 215. The house was tired and could have been easily a tear-down, and it wasn't. It was saved and it's turned into this amazing success story. So, I just wanted to bring that up as to there's a lot of reasons to preserve what we've got and we have a jewel now as a result of some very good, you know, forward-thinking from this team. So, thank you so much.

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CHAIRMAN SIAVELIS: Sounds good, appreciate your comments. That now makes 14, by my count, neighbors in favor, the 13 in writing, and then your comments. So, thank you.

I assume you don't want to respond to those comments in support, right?

MRS. KAMMERER: Thank you.

CHAIRMAN SIAVELIS: Okay, deliberation of the Board members?

COMMISSIONER JAFFE: I think respectfully we've put this one through its due diligence, and I'm pleased with how it was presented. So, I would support this petition as presented.

CHAIRMAN SIAVELIS: Do we have a motion?

COMMISSIONER DRAKE: I move approval of this petition.

COMMISSIONER GEISEL: Second.

CHAIRMAN SIAVELIS: Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRMAN SIAVELIS: Yes.

Congratulations, variance is granted.

MR. KAMMERER: Thank you.

MRS. KAMMERER: Thank you.

CHAIRMAN SIAVELIS: Certainly.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:30 p.m.)

DRAFT

Zoning Board of Appeals
6/12/2023

Item: 2620 N. Phelps Ave. - 5/8/23

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
2620 N. Phelps Ave - 5/8/23 Findings	Minutes
2620 N. Phelps Ave. - 5/8/23 Minutes	Minutes

ZONING BOARD OF APPEALS
VILLAGE OF ARLINGTON HEIGHTS

FINDINGS
MAY 8, 2023

PETITIONER: Stivers Residence

ADDRESS OF PROPERTY: 2620 N. Phelps Ave.

VARIATION: 5.1-3.2 (Minimum Lot Width)

A variation to allow a lot with a width of 69' to be buildable where 75' is required.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are requesting a variance to allow the lot at 2620 to be less than 75 feet in width in order to allow the transfer and sale of a portion of the property from the neighbor to the east at 2616 N. Phelps. The project does require approval by the Zoning Board of Appeals for a variation in lot width since the subject property will be less than the minimum code requirement as a result of the proposed lot line adjustment. The petitioner testified that the homeowner at 2620 N Phelps is looking to expand their lot as part of a lot line adjustment. The petitioner testified that the property owner at 2616 no longer wishes to maintain their large lot. The petitioner testified that there will be no new buildings or driveways as a result of the lot line adjustment.

Thereafter, a motion was made by Mr. Drake and seconded by Mr. Lanaghan. Thereafter, the Board voted 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Peter Siavelis, Chair
Zoning Board of Appeals
Village of Arlington Heights

ZONING BOARD
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OF APPEALS

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

RE: 2620 NORTH PHELPS AVENUE - ZBA #23-012

REPORT OF PROCEEDINGS had before the Village of Arlington Heights Zoning Board of Appeals taken at the Arlington Heights Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room, Arlington Heights, Illinois on the 8th day of May, 2023 at the hour of 7:30 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairman
TOM DRAKE
JEFFREY LANAGHAN
JOSEPH GEISEL
BENJAMIN JAFFE
FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner

DRAFT

CHAIRMAN SIAVELIS: The next item of business, 2620 North Phelps Avenue, ZBA Petition #23-012.

Derek?

MR. MACH: The Petitioner is requesting a variance to allow the lot width to be less than 75 feet in order to allow the transfer and sale of a portion of the property from the neighbor to the east at 2616 North Phelps. The project does require approval by the Zoning Board of Appeals for a variation in lot width since the subject property will be less than the minimum code requirement as a result of the proposed lot line adjustment.

Therefore, the Petitioner is requesting a variation from Chapter 28, Section 5.1-3.2 to allow a lot width of 69 feet to be buildable where 75 feet is required. Thank you.

CHAIRMAN SIAVELIS: Great, thanks, Derek.

Okay, who here is speaking on behalf? Come on up, sir. You're the next contestant. Have you signed in?

MR. EVANS: Yes.

CHAIRMAN SIAVELIS: Okay, great. Can you state your name for the record?

MR. EVANS: My name is Ryan Evans. I'm counsel for the Petitioner.

CHAIRMAN SIAVELIS: All right, raise your hand please.

(Witness sworn.)

CHAIRMAN SIAVELIS: Go ahead.

MR. EVANS: So, my clients, the Stivers, they've lived at the property for a while now. If you take a look at the, there's all the lots next to each other. They got a pretty large lot, and the next-door neighbors are also here. They are looking to build a family, get a dog, and 2616, the building with two lots right there, there's not much room back there and the Stivers no longer wish to maintain that with their large lot. So, they want to sell a portion of the eastern half, or not eastern half but eastern portion of their property. It's not going, there's no new buildings, there's no driveways, it's just literally moving a lot line over to the west so that 2616 has more room to expand. They also have a large golden, or not golden, German shepherd that they're looking to have more room actually for that as well.

So, 2620, the Stivers, the Petitioner no longer wishes to take care of that land. You know, they want to cash out a little bit. They've been in Arlington Heights for a long time now and, yes, like I said, there's really nothing that's going to be changing here. The lot lines are changing but there's no new buildings. The only two properties affected here are the Stivers and then 2616 as well, and they're both on board with this transaction.

Then, yes, the minimum variance necessary, we picked, if you go to the survey, this was the easiest route in order to get us a straight bearing on the proposed transfer. We could have gone down a little bit from the cul de sac and started over from there, but this was the easiest way to just get those clearer lot lines in. So, that's kind of the summary of this petition.

CHAIRMAN SIAVELIS: Okay, any questions?

DRAFT

COMMISSIONER DRAKE: Yes, just a couple of questions. Has the Petitioner talked to other residents that are in the neighborhood? In particular, the homes that are behind 2620?

MR. EVANS: I do not believe so, but we sent out those letters and we didn't get any response back.

COMMISSIONER DRAKE: No response?

MR. EVANS: Not any.

MR. STIVERS: I spoke to one of them and they were totally on board.

MR. EVANS: You can --

CHAIRMAN SIAVELIS: You need to come up.

MR. EVANS: I signed him in as well, too.

CHAIRMAN SIAVELIS: Yes, that kind of substantive answer, we need to get you on the record and make sure the record is clear because we have a court reporter that transcribes the hearing, right, and what's discussed. So, it's important that we have this properly documented, okay? So, come right up.

MR. STIVERS: Okay.

CHAIRMAN SIAVELIS: Have you signed in, sir?

MR. STIVERS: I have.

CHAIRMAN SIAVELIS: Okay, what's your name?

MR. STIVERS: Richard Stivers.

CHAIRMAN SIAVELIS: Richard, raise your right hand please.

(Witness sworn.)

CHAIRMAN SIAVELIS: Okay, please proceed from the top basically.

MR. STIVERS: I'm sorry?

CHAIRMAN SIAVELIS: Please proceed with your answer to his question.

MR. STIVERS: There are two properties that adjoin 2616 behind us and my property. One of them has called and he just wanted to find out what was going on because he got the letter. The other one didn't respond at all but did speak to that person and said that he had no objection as well.

CHAIRMAN SIAVELIS: And you're directly aware of no objections or concerns?

MR. STIVERS: No. Got no phone calls or anything.

COMMISSIONER DRAKE: That's my only question.

CHAIRMAN SIAVELIS: Okay, let's move to the phase where anybody in the audience wants to speak on behalf of this petition and this petition only.

(No response.)

CHAIRMAN SIAVELIS: Okay, seeing none, you can sit down and we'll close for deliberations.

COMMISSIONER DRAKE: I think the Petitioner has met all the requirements. There were no objections or comments from any of the three Staff departments. There seem to be no other residents in the neighborhood that have any concerns or have expressed them. I think it's very straight-forward and I'm in favor of it.

CHAIRMAN SIAVELIS: Thank you.
Any other comments or feedback from the Board?
(No response.)
CHAIRMAN SIAVELIS: Do we have a motion?
COMMISSIONER DRAKE: I would move approval of 2620 North Phelps.
COMMISSIONER GEISEL: Second.
CHAIRMAN SIAVELIS: Derek?
MR. MACH: Mr. Drake.
COMMISSIONER DRAKE: Yes.
MR. MACH: Mr. Geisel.
COMMISSIONER GEISEL: Yes.
MR. MACH: Mr. Jaffe.
COMMISSIONER JAFFE: Yes.
MR. MACH: Mr. Lanaghan.
COMMISSIONER LANAGHAN: Yes.
MR. MACH: Mr. Portera.
COMMISSIONER PORTERA: Yes.
MR. MACH: Chairman Siavelis.
CHAIRMAN SIAVELIS: Yes.
Congratulations, variance granted.
MR. EVANS: Thank you.
MR. STIVERS: Thank you.
(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:34 p.m.)

DRAFT

Zoning Board of Appeals
6/12/2023

Item: 330 E. Algonquin Rd. - 5/8/23

Department: Planning & Community Development

ATTACHMENTS:

Description	**Type**
330 E Algonquin Rd - 5/8/23 Findings	Minutes
330 E. Algonquin Rd. - 5/8/23 Minutes	Minutes

ZONING BOARD OF APPEALS
VILLAGE OF ARLINGTON HEIGHTS

FINDINGS
MAY 8, 2023

PETITIONER: 330 E. Algonquin Rd.

ADDRESS OF PROPERTY: 330 E. Algonquin Rd.

VARIATION: 10.4 (Schedule of Parking Requirement)

A variation to allow a reduction to the minimum required parking from 105 to 79 parking spaces.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that the medical imaging (MRI, CT, X-ray, mammogram) business is currently located in Elk Grove Village and would like to move its operation to 330 E. Algonquin Road. The petitioner testified that their parking needs are different than a traditional medical office and that most of the appointments are either an hour or an hour and a half. The petitioner explained that there is typically one patient and one tech that operates a machine and that there are approximately 7 machines. The petitioner testified that based on their needs, there will be a surplus of approximately 30 parking spaces at peak times.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood. Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Lanaghan and seconded by Mr. Jaffe. Thereafter, the Board voted 6-0 to approve the variance request, with a condition that the variance is limited specifically to Bright Light Medical Imaging.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Peter Siavelis, Chair
Zoning Board of Appeals
Village of Arlington Heights

ZONING BOARD
OF APPEALS

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

RE: 330 EAST ALGONQUIN ROAD - ZBA #23-013

REPORT OF PROCEEDINGS had before the Village of Arlington Heights Zoning Board of Appeals taken at the Arlington Heights Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room, Arlington Heights, Illinois on the 8th day of May, 2023 at the hour of 7:34 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairman
TOM DRAKE
JEFFREY LANAGHAN
JOSEPH GEISEL
BENJAMIN JAFFE
FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner

DRAFT

CHAIRMAN SIAVELIS: Okay, moving along, 330 East Algonquin Road, ZBA #23-013.

Derek?

MR. MACH: Thank you.

The Petitioner is proposing to locate a medical office use within the existing two-story building. The Petitioner has indicated that there is an anticipated peak parking demand of 43 spaces; however, the parking ratios set forth in Chapter 28 require one parking space for every 200 square feet of floor area. At this time, the site has a total of 79 parking spaces, thereby resulting in a deficit of 26 parking stalls. If the Zoning Board is supportive of the variance, it is recommended that the variance be limited specifically to Bright Light Medical Imaging.

The Petitioner is a variation from Chapter 28, Section 10.4, *Schedule of Parking Requirement*, to allow a reduction to the minimum required parking from 105 to 79 parking spaces. Thank you.

CHAIRMAN SIAVELIS: Thank you, Derek.

Okay, gentlemen, you've both signed in I assume?

MR. MENDI: Yes.

CHAIRMAN SIAVELIS: Okay, can you just identify yourself for the record?

MR. MENDI: Sure. I'm Ramit Mendi, the Medical Director for Bright Light Medical Imaging.

MR. BILLS: I'm Henry Bills, the Architect for the project.

CHAIRMAN SIAVELIS: Okay, gentlemen, raise your right hand.

(Witnesses sworn.)

CHAIRMAN SIAVELIS: You guys go ahead.

MR. MENDI: So, we are an imaging practice currently located about a mile south in Elk Grove Village, and we're hoping to move our office up to Arlington Heights. We've been in our current location for 20 years. We do MRI, CT, X-ray, mammogram, and then also we have an administrative facility which does the medical billing for our practice and scheduling.

So, our parking needs are different than a traditional medical office, like a pediatrician's office or a family practice that would have a lot of patients coming in every hour. Most of our appointments for MRI and such are either an hour or an hour and a half. It's just one patient and one tech that operates the machine. So, you know, based on those projections, we do seven modalities, the MRI, CT, X-ray, ultrasound, mammogram and DEXA. Each one usually has one patient and one technologist, so, you know, based on those clinical needs, we have about 20 spots that are taken everyday on a full schedule per hour for that. Then we have 20 administrators there as well.

So, that's how we got to the number of 54. We anticipate having more than enough parking for the patients and admin staff. You know, we have about 30 open spots, and we obviously wouldn't want to have an office there where our patients couldn't park. It wouldn't make sense for our patient

satisfaction.

We're not making any changes to the building. We bought it because we love the way the building looked. You know, it's a beautiful space and nice trees, so we're just going to keep it as is. I think we should have more than enough parking to fill our needs there.

CHAIRMAN SIAVELIS: Okay, understood.

COMMISSIONER LANAGHAN: Okay, so let me a couple of question s.

You don't mind, Peter?

CHAIRMAN SIAVELIS: All right, just go ahead.

COMMISSIONER LANAGHAN: So, you bought the building, you're going to be the only tenant in that facility at this point?

MR. MENDI: Correct. Right, we don't plan to lease that to anyone. We're the sole user, yes, sole user.

COMMISSIONER LANAGHAN: Got you. So, yes, there won't be any conflict with anybody there.

MR. MENDI: No.

COMMISSIONER LANAGHAN: When did you purchase the building?

MR. MENDI: We purchased the building last year. It was around, I think April or so, and then the current tenant, the prior owner leased it back from us for about six months because they needed some more time to move out.

COMMISSIONER LANAGHAN: Got you, okay. Have you done a traffic study to kind of verify the parking counts that you're talking about?

MR. MENDI: We did, yes. That should be included there, yes. So, that just shows, you know, for each imaging modality how many patients we have per hour. So, ultrasound is a little bit quicker, so we have two. X-ray is a little quicker, we have three, But the other ones like MRI, you know, or mammogram, usually it's one per hour.

COMMISSIONER JAFFE: Jeff, those actually were my questions, too. Derek, can you go to page 11?

COMMISSIONER LANAGHAN: Yes, I was just getting there.

COMMISSIONER JAFFE: It's a small detail but this grid is reflective of patients, it's not vehicles, correct?

MR. MENDI: Correct.

COMMISSIONER JAFFE: Okay, I see that you're still significantly under, but I just wanted that clarification that these are your patients. This wasn't camera sensor study of vehicles in the lot.

MR. MENDI: No, this was based off of our clinical schedule, how many patients we have, and then how many staff we have on, you know, on site to address those patients.

COMMISSIONER JAFFE: And these two weeks that you captured the study from, these are generally spring break weeks. Is there any seasonality in your business where if you were to choose some random weekend in October, it's going up higher?

MR. MENDI: No. Beginning of the year sometimes is a little slower,

but after that it's about the same.

CHAIRMAN SIAVELIS: And this was at your Elk Grove facility, right?

MR. MENDI: Correct.

CHAIRMAN SIAVELIS: And is that size of the Elk Grove facility and the capacity of that Elk Grove facility essentially the same as what you're going to have here on Algonquin in Arlington Heights?

MR. MENDI: The services are going to be the same. The size is larger here. You know, but we're just spreading out some more, we have the luxury of having more space. We weren't looking for a building that big but we just love this space so we took a bigger spot. But, you know, we're just spreading out more, we're not really adding anything else except for one MRI unit which is going to have, we've put in five extra per hour just to be safe but it's probably going to be like, you know, two or three extra parking spots per hour for the additional MRI, but everything else is going to stay the same service.

COMMISSIONER LANAGHAN: So, if I'm reading this correct, your peak parking requirement in Elk Grove was roughly 25 cars?

MR. MENDI: Yes.

COMMISSIONER LANAGHAN: And your 54 number I'm assuming takes into account the larger space and the anticipated additional --

MR. MENDI: That's going to be, right, we're going to have, so the second floor is our admin headquarters. So, there's about 20 administrators that would be working up there, so there's the billers and schedulers that are, you know, working up on that second floor.

COMMISSIONER LANAGHAN: Got you, okay.

MR. MENDI: And that's assuming everyone is there, everyone is working on site, which some people do work from home and don't go everyday.

COMMISSIONER LANAGHAN: Yes, okay.

CHAIRMAN SIAVELIS: Does your business run six days a week?

MR. MENDI: We run pretty, except for MRI runs on Sunday as well so it's seven, but with the second MRI, we may not need that. So, let's just say the MRI is booked out, so we're adding the second unit but, you know, if we have two MRIs, we may not need to open on Sunday. No one likes that shift.

COMMISSIONER LANAGHAN: I can imagine.

MR. MENDI: Yes.

CHAIRMAN SIAVELIS: Anything else, Jeff?

COMMISSIONER LANAGHAN: No, that's all my questions.

CHAIRMAN SIAVELIS: Anything else, gentlemen?

MR. BILLS: No.

CHAIRMAN SIAVELIS: Okay, take a seat. Let's see if there's any comments from the audience.

Are there any members of the audience here who want to speak on behalf of this petition and this petition only?

(No response.)

CHAIRMAN SIAVELIS: Okay, hearing none, there's nothing for you to rebut or respond to.

MR. MACH: Chairman, I just --

CHAIRMAN SIAVELIS: Oh, that's right, the letter.

MR. MACH: They did share a letter today. Obviously, I'll read it into the record.

Dear Arlington Heights Board, Bright Light Medical Imaging coming to Arlington Heights is a great asset to the community. They provide excellent patient care and customer service at an affordable cost to our community. They have been a well-established business in Elk Grove Village for over 15 years. Bright Light Medical Imaging moving to Arlington Heights will also bring additional jobs to Arlington Heights and business for our currently established businesses. I personally have known the practice director of Bright Light Medical Imaging for years now as well who is also an Arlington Heights community member. Bright Light Medical Imaging provides support to local businesses, schools and local departments as well. Overall, I am pleased to welcome them to the Arlington Heights community. Thank you, Argie Karafotias, owner of Golden Brunch.

Thank you.

CHAIRMAN SIAVELIS: Great, thanks, Derek.

Okay, deliberations.

COMMISSIONER LANAGHAN: Yes, I think in general it makes sense. Happy to have a new business come to Arlington Heights. They've certainly provided as case as to why the parking supplied is more than sufficient to what they're anticipating needing, but I don't have an issue at this point.

CHAIRMAN SIAVELIS: Right, and they've been running this business for a while.

COMMISSIONER LANAGHAN: Right, some 20 plus years now.

CHAIRMAN SIAVELIS: Right, so they know what their business requires and how it operates and how it functions. So, I'm deferential to their interpretations in that regard. This is just not a startup where they're asking for these concessions from us.

COMMISSIONER LANAGHAN: Right, yes.

CHAIRMAN SIAVELIS: Any other comments?

COMMISSIONER DRAKE: I'm glad to see that they're coming as well. I support this. There have been some business that have closed along Algonquin that have not reopened, they were some pretty good size footprint. So, I would welcome you coming here. I'm in favor.

CHAIRMAN SIAVELIS: Do we have a motion? I'm sorry, hold on.

Derek?

MR. MACH: Just a recommendation from Staff that the variance be limited specifically to Bright Light Medical Imaging.

COMMISSIONER LANAGHAN: I was planning on plugging that in, Derek, so I'm with you absolutely.

CHAIRMAN SIAVELIS: Right, so to the business itself, is that what you're saying?

MR. MACH: Yes.

COMMISSIONER LANAGHAN: Yes. So, I move to approve the variance to allow the minimum parking to be 79 parking spaces in lieu of 105 for the Bright Light Medical Imaging group.

CHAIRMAN SIAVELIS: Do we have a second?
COMMISSIONER JAFFE: Second.
CHAIRMAN SIAVELIS: And before we vote on that, I just want to ask a question. Is that the business' full name? Do you have a customer facing or patient facing name other than that? Because if we're going to design or tailor it to the business name, we want to make sure we tailor it correctly.
MR. MENDI: No, that's our only name. We have six centers all on the same name.
CHAIRMAN SIAVELIS: Got you.
MR. MENDI: Yes, and that's going to be on our sign.
CHAIRMAN SIAVELIS: Thank you.
COMMISSIONER JAFFE: Do you want me to do that again now?
CHAIRMAN SIAVELIS: It's still pending, right.
COMMISSIONER JAFFE: Second.
MR. MACH: Mr. Drake.
COMMISSIONER DRAKE: Yes.
MR. MACH: Mr. Geisel.
COMMISSIONER GEISEL: Yes.
MR. MACH: Mr. Jaffe.
COMMISSIONER JAFFE: Yes.
MR. MACH: Mr. Lanaghan.
COMMISSIONER LANAGHAN: Yes.
MR. MACH: Chairman Siavelis.
CHAIRMAN SIAVELIS: Yes.
Congratulations, variance granted.
MR. MENDI: Thank you. We're excited to move up here.
COMMISSIONER LANAGHAN: We're excited to have you, thank you.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:42 p.m.)

DRAFT

Zoning Board of Appeals
6/12/2023

Item: 516 S. Bristol Ln. - ZBA#23-014

Department: Planning & Community Development

REQUEST

A 3.2-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 4.7 feet instead of the required 7.9 feet and an additional 1.5 foot for the eave.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

Petition – ZBA#23-014
PIN: 03-32-136-015

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 12, 2023
Date Prepared: June 6, 2023
Project Title: Douglas Residence
Address: 516 S. Bristol Ln.

Background Information
Petition Number: ZBA #23-014
Petitioner: Kevin Purdon / JRC Design Build
Address: 1275 E. Davis St.
Arlington Heights IL 60005

Existing Zoning: R-3 – Residential Single-Family District

Requested Action/Background Information

The petitioner is proposing a one story addition in the rear of the existing two-story residence. The subject site is zoned R-3, One Family Dwelling District. The property has a total land area of approximately 6,220 square feet and the proposed residence with the addition will be approximately 2,024 square feet. Along the south property line, the proposed addition encroaches 3.2 feet into the required side yard setback; therefore, the petitioner is requesting the following variation:

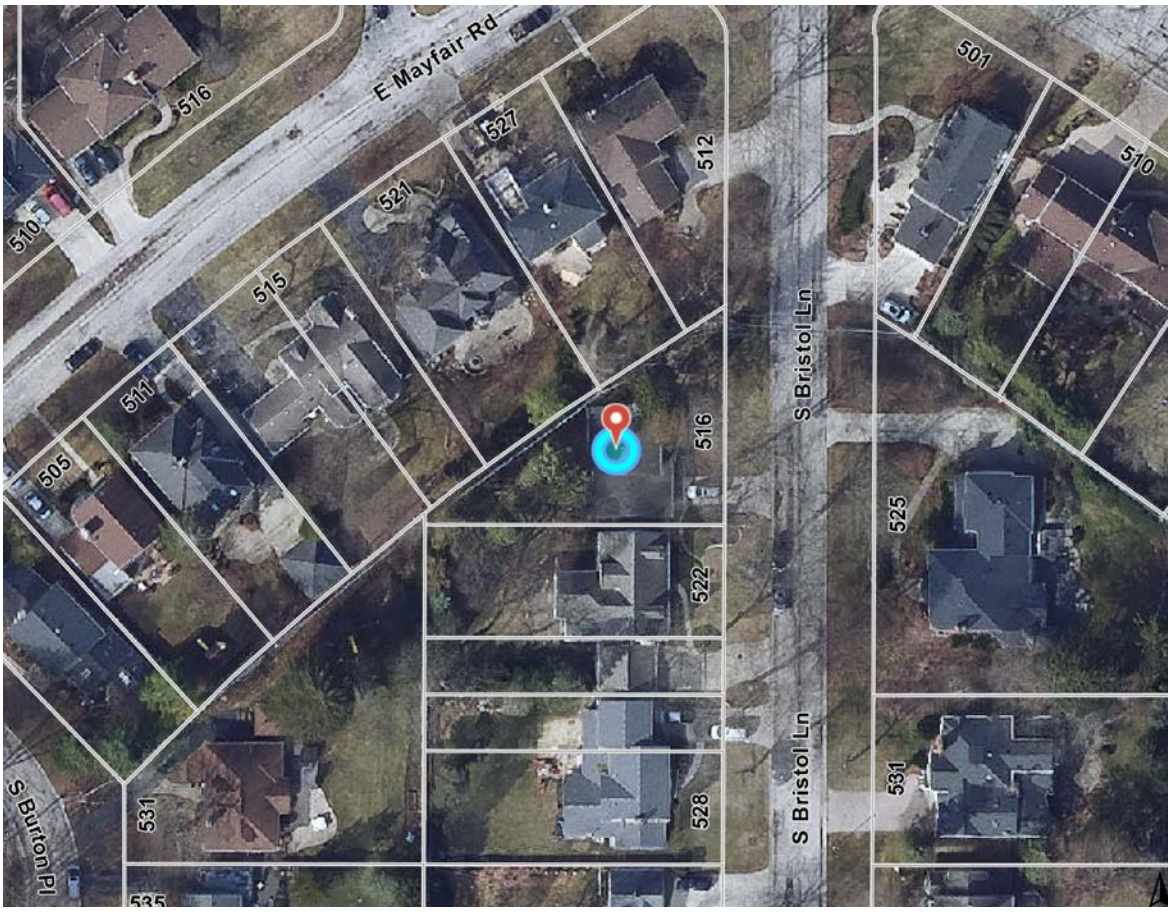
- A 3.2-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 4.7 feet instead of the required 7.9 feet and an additional 1.5 foot for the eave.

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and (2) the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and (3) the proposed variation is in harmony with the spirit and intent of this Chapter; and (4) the variance requested is the minimum variance necessary to allow reasonable use of the property. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four conditions enumerated.

Petition – ZBA#23-014
PIN: 03-32-136-015

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

Item	Provided	Dated	Remarks
1. Notification Affidavit	✓	5/16/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/16/23	
3. Letter that was Mailed	✓	5/16/23	
4. Photographs of Sign on Property	✓	5/16/23	

Photographs of Existing Structure



Village of Arlington Heights
Building & Life Safety Department

Interoffice Memorandum

To: **Derek Mach, Zoning Board of Appeals Liaison**

From: **Nusrat Jahan, Building & Life Safety Department**

Project Name: **Douglas Residence**

Project Address: **516 S. Bristol Lane**

ZBA #: **23-014**

Date: **May 25, 2023**

Derek:

I have reviewed the request for the following variance:

- **A 3.2-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 4.7 feet instead of the required 7.9 feet and an additional 1.5 foot for the eave.**

and have the following comments:

1. The south wall shall have a minimum 1-hour fire-resistance rating.
2. The soffit on the south wall shall have a 1-hour fire-resistance rating or solid blocking between the top plate and the roof sheathing.
3. The maximum allowed openings on the south wall are limited to a total of 25% or the total wall area on the south side.

ZBA# 23-014
516 S Bristol Ln - ZBA
Rev. Eng: Mike Pagones, P.E., Village Engineer
cc: Briget Schwab, P.E.

Application Date: April 17, 2023
Received by Planning:
Transmitted to Engineering: May 23, 2023
Completed: June 1, 2023
ZBA Meeting Date: June 12, 2023

The proposed ZBA application indicates that the petitioner is seeking:

- **A 3.2-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 4.7 feet instead of the required 7.9 feet and an additional 1.5 foot for the eave.**

The Engineering Division has NO OBJECTION to the proposed variance for Required Minimum Yard. The side yard setback is an existing condition. The proposed side yards should be graded to ensure positive drainage from adjacent properties.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Douglas Residence

Project Address: 516 S. Bristol Lane

ZBA #: 23-014

ZBA Hearing Date: June 12, 2023

To:	Mike Pagones, Village Engineer Jorge Torres, Director of Building and Life Safety
C:	Michael Lysicatos, Assistant Director of Planning and Community Development Steve Hautzinger, Design Planner
From:	Derek Mach, Landscape Planner
Transmitted On:	May 23, 2023

- A 3.2-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 4.7 feet instead of the required 7.9 feet and an additional 1.5 foot for the eave.

Attached are the Petitioner's:

- ❑ Application & Petition
- ❑ Plat of Survey
- ❑ Site Plan
- ❑ Other: _____

Comments:

Architecturally, the design of the proposed addition fits with the style of the existing house. A Design Commission application is not required since the addition is a single-story, rear yard addition, which will not be visible from the street.

- Steve Hautzinger, Design Planner

PETITION

The following petition form shall be used when submitting a petition for a variation from Chapter 28 of the Arlington Heights Municipal Code. This must be submitted with a fully executed application to the Zoning Board of Appeals. Please refer to Section 12 of Chapter 28 if the Arlington Heights Municipal Code for information regarding the criteria by which the Zoning Board of Appeals will evaluate variation requests. (Attached to this application packet.)

PETITION

NOW COMES the Petitioner Kevin Purdom - JRC Design Build Jim and Mary Kay Douglas

being the owner of the property commonly know as: 516 S Bristol Lane

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-3.3 b

Chapter 28, of the Arlington Heights Municipal Code, in order to: build and addition with a sideyard setback of 4.7'

where 7.7' is required.

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain):

we plan to adhere to all other zoning ordinances and codes with this application

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain):

The existing size and irregular shape of the lot creates a larger side yard setback than the existing house is already built at.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain):

all other zoning regulations and codes are being followed. We just want to build in line with the existing nonconforming setback to allow for a well designed addition.

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain):

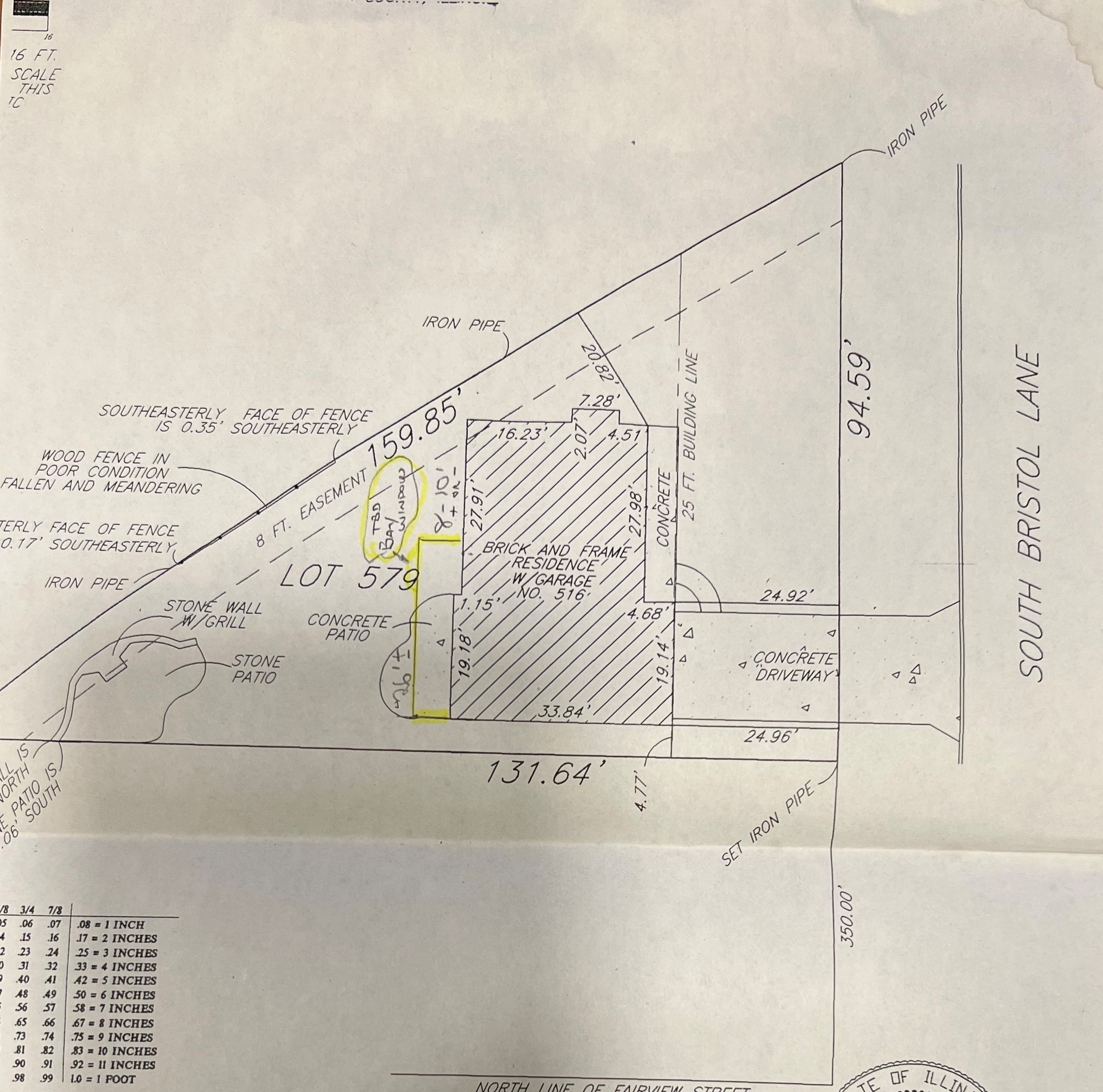
We are only asking to align with the existing building and no further encroachment on any side of the property

Signed: K Purdom *Petitioner* Date: 04/18/2023

16

16 FT.

SCALE THIS TC



/8	3/4	7/8	
05	.06	.07	.08 = 1 INCH
4	.15	.16	.17 = 2 INCHES
2	.23	.24	.25 = 3 INCHES
0	.31	.32	.33 = 4 INCHES
9	.40	.41	.42 = 5 INCHES
7	.48	.49	.50 = 6 INCHES
5	.56	.57	.58 = 7 INCHES
	.65	.66	.67 = 8 INCHES
	.73	.74	.75 = 9 INCHES
	.81	.82	.83 = 10 INCHES
	.90	.91	.92 = 11 INCHES
	.98	.99	1.0 = 1 FOOT

s)
k)

Emmert Surveys, Inc., does hereby certify that we the above described property and prepared the drawn. The legal description shown hereon is thers. Refer to deed or title policy for building ement or other restrictions which may exist. ot noted hereon shall not be assumed by scaling This office shall not be responsible for future nless all property corners are established by this

STATE OF ILLINOIS
MICHAEL J. EMMERT
No. 2499
REGISTERED LAND SURVEYOR

original plat is in colors

6th day of October, 1999

Michael J. Emmert
llinois Land Surveyor No. 2499

President

Michael J. Emmert Surveys, In
115 West Palatine Road
Palatine, Illinois 60067-5103
Office 800/991-6898
Fax 991-4999

ADDITION AT THE DOUGLAS RESIDENCE

PROJECT DATA

PROJECT LOCATION:	516 S BRISTOL LANE
ZONING DISTRICT:	R-3
LOT AREA:	6,220 SF
PIN:	03-32-136-015-0000
MAX LOT COVERAGE:(35%)	2,799 SF
PROPOSED LOT COVERAGE:	1,652 SF
MAX FAR: .45	2,177 SF
PROPOSED FAR:	2,024 SF
MAX IMPERVIOUS COVERAGE (50%)	3110 SF
PROPOSED IMPERVIOUS COVERAGE:	2,526 SF
MAX BUILDING HEIGHT:	25'-0"
PROPOSED BUILDING HEIGHT:	EX TO REMAIN
LOCATION AREAS:	
EX. FIRST FLOOR	1,007 SF
NEW FIRST FLOOR	228 SF
EX. SECOND FLOOR	772 SF
EX. GARAGE	417 SF
TOTAL SQUARE FOOTAGE:	2,007 SF

DESIGN CRITERIA

FLOOR

SLEEPING ROOMS	40# LL - 10# DL
OTHER ROOMS	40# LL - 10# DL
VEH. GARAGES	50# LL - 10# DL

WALL — 60# PLF OR ACTUAL LOAD; 20 PSF WIND 0'-20' HEIGHT; 25 PSF WIND 21'-29' HEIGHT; 30 PSF WIND 30' HEIGHT AND ABOVE

CEILING

UNHAB W/O STOR	10# LL - 10# DL
UNHAB LIM STOR	20# LL - 10# DL
HAB W/ FIX STAIR	30# LL - 10# DL

WIND SPEED — 115 MPH; 3 SECOND GUST & 89 NOMINAL

ROOF — 30# LL (SNOW) - 10# DL (ALL SLOPES)

CATHEDRAL — 30# LL - 15# DL (ALL SLOPES)

EXT DECK — 40# LL - 10# DL

EXT BALCONY — 40# LL - 10# DL

STAIRS — 40# LL + 300# CONCENTRATED LOAD

GUARD & HANDRAILS — 200# LL AT ANY DIRECTION APPLIED AT THE TOP

FROST DEPTH — 42" (3'-6")

STRUCTURAL FRAMING LUMBER
BASE VALUE (USE NO MULTIPLIERS AGAINST BASE VALUE)
GRADE #2 SPECIES SPF DOMESTIC OR CANADIAN BASE Fb 875

SPECIFY MANUFACTURER AND NAME OF SPECIFIC BEAM PRODUCT WITH THE CURRENT SIZE, Fb, AND E VALUES PER MANUFACTURER

MANUFACTURER - TRUS-JOIST
PRODUCT - LVL HEADERS & BEAMS MICRO-LAM

APPLICABLE CODES

ALL WORK PERFORMED AND MATERIALS USED SHALL COMPLY WITH THE FOLLOWING:

BUILDING CODE	2018 INTERNATIONAL RESIDENTIAL CODE WITH AMENDMENTS
MECHANICAL CODE	INTERNATIONAL MECHANICAL CODE, 2018
ELECTRICAL CODE	2017 NATIONAL ELECTRICAL CODE WITH AMENDMENTS
PLUMBING CODE	2014 ILLINOIS PLUMBING CODE WITH AMENDMENTS
ENERGY CODE	2018 ILLINOIS ENERGY CONSERVATION CODE WITH STATE AMENDMENTS

-ALL APPLICABLE LOCAL AND STATE CODES, ORDINANCES, AND REGULATIONS.
-MANUFACTURERS' SPECIFICATIONS AND TRADE ASSOCIATIONS RECOMMENDATIONS.
-ACCEPTED ENGINEERING AND CONSTRUCTION PRACTICES.

TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMANGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDER LAYMENT REQ.	FLOOD HAZARDS / CHAPTER VILLAGE CODE	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	SPEED (MPH)	TOPO EFFECTS	SPECIAL WIND REGION	WIND-BORNE DEBRIS ZONE		W/THRING	FROST LINE DEPTH	TERMITE					
25	115	NO	NO	NO	b	SEVERE	42"	MOD -TO- HEAVY	-4	YES	NOV 6 2000	2000	47.6

ABBREVIATIONS

A.B.	ANCHOR BOLT	L.	LINEN
ABV	ABOVE	LAM.	LAMINATE
A.C.	AIR CONDITIONING	LAV.	LAVATORY
ACOUS.	ACOUSTIC	LL	LIVE LOAD
ADJ.	ADJUSTABLE	LP	LOW POINT
A.F.F.	ABOVE FINISH FLOOR	MAX.	MAXIMUM
ALUM.	ALUMINUM	MC	MEDICINE CABINET
ALT.	ALTERNATE	MECH	MECHANICAL
A.P.	ACCESS PANEL	MED	MEDIUM
APPROX.	APPROXIMATE	MIN	MINIMUM
ARCH.	ARCHITECTURAL	MISC	MISCELLANEOUS
@	AT	ML	MICROLAM
BD	BOARD	MO	MASONRY OPENING
BI	BUILT-IN	MRBL	MARBLE
BLDG	BUILDING	MTL	METAL
BOT.	BOTTOM	MW	MICROWAVE
B/	BOTTOM OF	NIC	NOT IN CONTRACT
BRG.	BEARING	NO	NUMBER
BRG. PL.	BEARING PLATE	NOM	NOMINAL
B.U.R.	BUILT UP ROOFING	NTS	NOT TO SCALE
CRPT	CARPET	O	OVEN
CABT	CABINET	OA	OVERALL
C.I.	CAST IRON	OC	ON CENTER
C.J.	CEILING JOISTS	OPP	OPPOSITE
C.J.T.	CONSTRUCTION JOINTS	OPT.	OPTIONAL
CL	CENTERLINE	PERF.	PERFORATED
CLG.	CEILING	PL	PLATE
CL.	CLOSET	P LAM	PLASTIC LAMINATE
C.M.U.	CONCRETE MASONRY UNIT	PLYWD	PLYWOOD
		PSF	POUNDS PER SQUARE FOOT
C. O	CASED OPENING		
COL.	COLUMN	PSI	POUNDS PER SQUARE INCH
CONC.	CONCRETE		
CONST.	CONSTRUCTION	PVC	POLYVINYLCHLORIDE
CONT.	CONTINUOUS	QT	QUARRY TILE
C.T.	CERAMIC TILE	R	RADIUS
C.W.	COLD WATER	RD	ROOF DRAIN
DEMO.	DEMOLITION	R & S	ROD AND SHELF
DIA.	DIAMETER	REC	RECESSED
DIAG.	DIAGONAL	REF	REFRIGERATOR
DIM.	DIMENSION	REG	REGULAR
DISP.	DISPOSAL	REINF	REINFORCE
DIV.	DIVISION	RM	ROOM
DL	DEAD LOAD	RO	ROUGH OPENING
DN.	DOWN	RR	ROOF RAFTERS
DWGS.	DRAWINGS	SBO	SUPPLIED
D.S.	DOWNSPOUT	SHLV	SHELVES
D.W.	DISHWASHER	SHT	SHEET
EA.	EACH	SHWR	SHOWER
EX.	EXISTING	SHTG	SHEATHING
EIFS	EXTERIOR INSULATION FINISH SYSTEM	SIM	SIMILAR
		SL	SLIDING
EQ	EQUAL	SPEC	SPECIFICATION
EXP.	EXPANSION	SQ	SQUARE
ELECT.	ELECTRICAL	SF	SQUARE FOOT
ELEV.	ELEVATION	SS	SANITARY SUMP
EQUIP.	EQUIPMENT	STD	STANDARD
EQUIV.	EQUIVALENT	STL	STEEL
E.W	EACH WAY	STOR	STORAGE
F	FURNACE	STRUCT	STRUCTURE
FD	FLOOR DRAIN	SUSP	SUSPENDED
FE	FIRE EXTINGUISHER	T & B	TOP AND BOTTOM
FF	FINISH FLOOR	T/	TOP OF
FIN.	FINISH	TEL	TELEPHONE
FIXT	FIXTURE	T & G	TONGUE AND GROOVE
FLR	FLOOR		
FLSHG	FLASHING	THK	THICK
FDN	FOUNDATION	TJI	TRUST JOIST
FO	FACE OF	TOP	TOP OF PLATE
FS	FOOTING SUMP	TV	TELEVISION
FTG	FOOTING	TYP	TYPICAL
FURN	FURNACE	UC	UNDER COUNTER
GA	GAUGE	UNO	UNLESS NOTED OTHERWISE
GALV	GALVANIZED		
GFI	GROUND FAULT INTERRUPT	VCT	VINYL COMPOSITION TILE
GLU-LAM	GLUE LAMINATED BEAM	VERT	VERTICAL
		VIF	VERIFY IN FIELD
GYP.	GYPSUM	W/	WITH
HD	HEAD	WC	WATER CLOSET
HDR	HEADER	WIC	WALK IN CLOSET
HT	HEIGHT	WD	WOOD
HM	HOLLOW METAL	WDO	WINDOW
HORZ	HORIZONTAL	WH	WATER HEATER
HP	HIGH POINT	W/O	WITHOUT
HTG	HEATING	WP	WATERPROOF
HVAC	HEATING VENTILATE AIR CONDITIONING	WT	WEIGHT
		WWF	WELDED WIRE FABRIC
INT.	INTERIOR		

SITE SETBACKS (R-3)

	REQUIRED	PROPOSED
FRONTYARD	25'-0"	25'-0"
INTERIOR SIDEYARD 10% LOT WIDTH	6.3'	EX TO REMAIN
INTERIOR SIDEYARD 10% LOT WIDTH	6.3'	4.7' ZBA VARIANCE REQ.
REARYARD	30'-0"	30'-0"
HEIGHT - MEAN	MAX 25'-0"	EX TO REMAIN



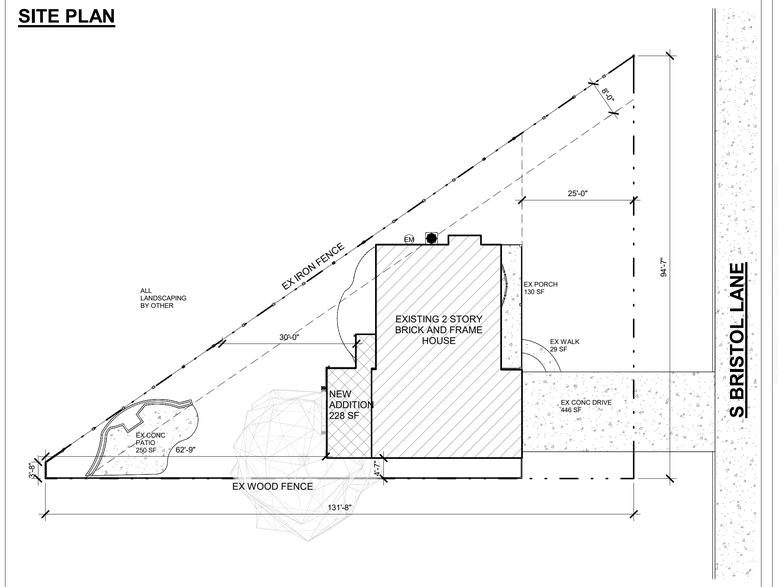
PROPOSED 3D RENDERING

SITE PLAN LEGEND & NOTES

1. INFORMATION ON THIS DRAWING IS ACCUMULATED FROM EXISTING DOCUMENTATION AND MUST BE CONFIRMED BY THE CONTRACTOR AND COORDINATED WITH THE ARCHITECT PRIOR TO CONSTRUCTION. ARCHITECTURAL SITE PLAN IN FOR SCHEMATIC PURPOSES ONLY. SEE SITE ENGINEERING PLAN AND LANDSCAPE PLAN FOR ADDITIONAL INFORMATION
2. VERIFY LOCATIONS OF ALL UTILITIES AND OTHER BUILDING SERVICES PRIOR TO EXCAVATION.
3. PROVIDE REQUIRED WORK TO ACCOMMODATE EXISTING UTILITIES OR OTHER BUILDING SERVICES.
4. PROTECT EXISTING LANDSCAPING DURING CONSTRUCTION, TO GREATEST EXTENT POSSIBLE.
5. PROVIDE TEMPORARY CONSTRUCTION/SECURITY FENCING AROUND ALL OPEN EXCAVATIONS; HEIGHT AS REQ'D BY LOCAL CODES.
6. VERIFY LOCATIONS OF ALL MATERIAL STOCKPILES AND DUMPSTERS WITH OWNER.
7. CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS PRIOR TO COMMENCING WITH THE WORK. ANY DISCREPANCIES IN FIELD CONDITIONS ARE TO BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING.
8. PLEASE NOTIFY THE ARCHITECT IMMEDIATELY IF THERE ARE ANY DISCREPANCIES IN THE CONSTRUCTION DOCUMENTS.
9. STATE LAW: BEFORE DIGGING, CALL JULIE (811 OR 1-800-892-0123) FOR LOCATION OF PUBLIC AND PRIVATE UTILITIES AT WORK SITE. 48 HOUR NOTICE IS REQUIRED.
10. THE HOUSE SHALL PASS A BLOWER DOOR TEST AND A COPY OF THE RESULTS SHALL BE PROVIDED TO THE BUILDING DEPARTMENT PRIOR TO SCHEDULING THE FINAL INSPECTIONS.
11. CONSTRUCTION DEBRIS AND REFUSE CONTAINMENT SHALL BE REQUIRED FOR ALL JOB SITES. CONTAINMENT SHALL OCCUR ON THE PROPERTY THAT IS THE SUBJECT OF THE PERMIT & SHALL BE WITHIN A DUMPSTER, STRUCTURE, OR CONTAINER THAT CAN BE COVERED TO PREVENT WINDBLOWN DEBRIS. ALL SUCH DUMPSTERS, STRUCTURES, OR CONTAINERS SHALL BE COVERED AT ALL TIMES WHEN NO WORK IS BEING PERFORMED ON THE PROPERTY THAT IS THE SUBJECT OF THE PERMIT.
12. ALL DISTURBED PARKWAY LAWN AREAS WILL BE RESTORED WITH NEW SOD ON 6" OF TOPSOIL. ALL SOD SHALL BE WATERED AS REQ'D TO SUSTAIN GROWTH.
13. ALL PARKWAY TREES SHALL HAVE A SNOW FENCE THAT EXTENDS TO THE DRIP LINE. NO TRAFFIC SHALL GO OVER THE ROOT SYSTEM.
14. SURFACE DRAINAGE TO BE DIVERTED FROM STRUCTURE SO AS NOT TO CREATE A HAZARD ON THIS OR ADJACENT PROPERTY. GRADE FROM FOUNDATION TO DROP A MINIMUM OF 6" IN 10'-0". PROVIDE SWALES OR DRAINS TO ENSURE DRAINAGE FROM STRUCTURE AND ADJACENT PROPERTY.
15. TOILET FACILITIES SHALL BE PROVIDED AT ALL JOB SITES PER ILLINOIS PLUMBING CODE. THIS WILL BE A CONDITION OF THE PERMIT.
16. PROVIDE AND MAINTAIN A 5'-0" HIGH FENCE ALONG THE FULL LENGTH OF INTERIOR SIDE YARDS UNTIL EXTERIOR CONSTRUCTION IS COMPLETE.
17. PROVIDE AND MAINTAIN A 5'-0" HIGH CONSTRUCTION FENCE DURING NON-WORKING HOURS THAT WILL ENCLOSE ALL OPEN EXCAVATIONS UNTIL FOUNDATION IS BACK-FILLED & FIRST FLOOR DECK IS COMPLETED.
18. ERECT PROTECTIVE SNOWFENCE PRIOR TO ANY CONSTRUCTION ACTIVITY. DO NOT STORE ANY EQUIPMENT OR MATERIALS WITHIN THE PROTECTION AREA. REMOVE THE PROTECTIVE SNOW FENCE ONLY AFTER CONSTRUCTION IS COMPLETE.
19. ALL TREES ARE TO BE PROTECTED DURING CONSTRUCTION WITH FENCING FOR EVERY 1" OF TREE DIAMETER. MAINTAIN 1'-0" DISTANCE AWAY FOR FENCING.

PROPERTY LINE
SETBACK LINE
EASEMENT LINE
E — ELECTRIC SERVICE
G — GAS SERVICE
STORM SEWER
SANITARY SEWER
W — WATER SERVICE
X — FENCE

SITE PLAN



1 / A0 SITE PLAN - PROPOSED
1/16" = 1'-0"

N

SHEET INDEX - ARCHITECTURAL

A0	COVER SHEET	1- 05/11/2023
A1	EXISTING DRAWINGS	1- 05/11/2023
A2	FOUNDATION & BASEMENT PLANS	1- 05/11/2023
A3	FIRST FLOOR PLAN	1- 05/11/2023
A4	ROOF PLAN & STAIR DETAILS	1- 05/11/2023
A5	ELEVATIONS	1- 05/11/2023
A6	SPECIFICATIONS	1- 05/11/2023

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ADDITION TO THE DOUGLAS RESIDENCE
516 S BRISTOL LANE
ARLINGTON HEIGHTS, IL 60005

DATE
1- 05/11/2023

ISSUE DATE

1- 05/11/2023	1 - ZBA

KEVIN PURDOM, ARCHITECT
1275 E DAVIS ST, ARLINGTON HEIGHTS, IL 60005
PHONE: (847)255-2322
EMAIL: KEVINJRCDB@GMAIL.COM

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LICENSED ARCHITECT — KEVIN PURDOM 001-025823 — STATE OF ILLINOIS

ARCHITECT'S CERTIFICATION

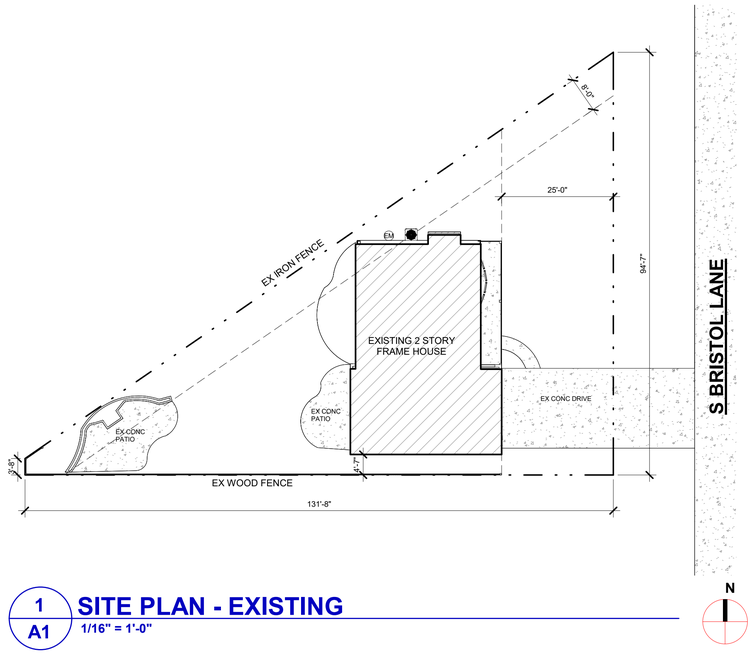
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SHEET TITLE
COVER SHEET

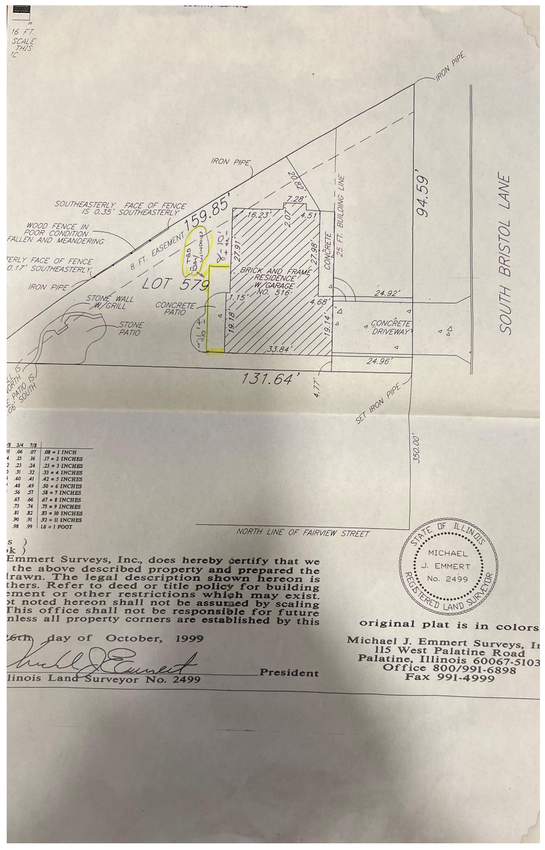
SHEET NUMBER

A0



1 A1 SITE PLAN - EXISTING

1/16" = 1'-0"



PLAT OF SURVEY - NTS



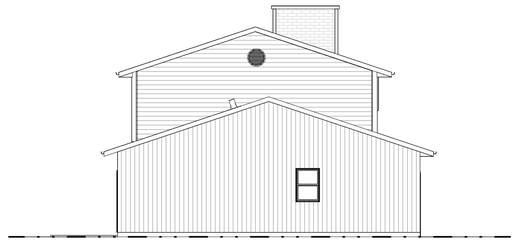
4 A1 EAST ELEVATION - EXISTING

1/8" = 1'-0"



5 A1 NORTH ELEVATION - EXISTING

1/8" = 1'-0"



6 A1 SOUTH ELEVATION - EXISTING

1/8" = 1'-0"



7 A1 WEST ELEVATION - EXISTING

1/8" = 1'-0"

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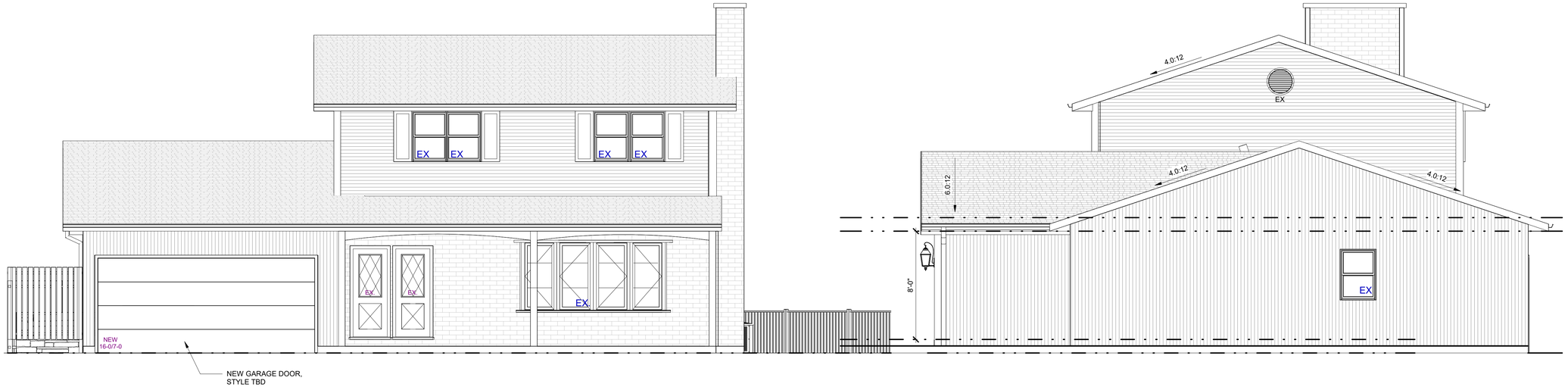
1- 05/11/2023 1 - ZBA

SHEET TITLE

EXISTING DRAWINGS

SHEET NUMBER

A1

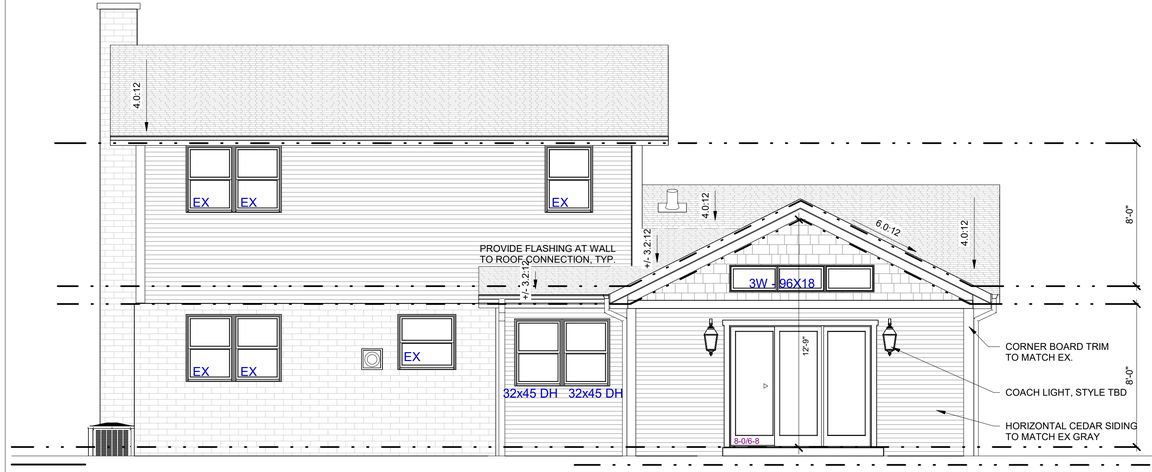


1 A5 EAST ELEVATION - FRONT

1/4" = 1'-0"

2 A5 SOUTH ELEVATION - SIDE

1/4" = 1'-0"



3 A5 WEST ELEVATION - REAR

1/4" = 1'-0"



4 A5 NORTH ELEVATION - SIDE

1/4" = 1'-0"

ELEVATION MATERIALS

LOCATION	HATCH PATTERN	DESCRIPTION	MANUF.		HATCH PATTERN	DESCRIPTION	MANUF.
SIDING (1)		HORIZ CEDAR LAP SIDING [PAINTED GRAY TO MATCH EX.]		TRIM AND FASCIA		TRIM [GRAY TO MATCH EX]	
SIDING (2)		VERTICAL CEDAR SIDING [PAINTED GRAY TO MATCH EX.]		SOFFIT AND FASCIA		ALUMINUM - VENTED [WHITE PANELED TO MATCH EX]	
SIDING (3)		EX BRICK		COLUMNS		TO REMAIN AS IS	
ROOFING (1)		ASPHALT SHINGLES [MATCH EX.]		GUTTERS, DOWNSPOUTS		ALUMINUM [GRAY TO MATCH EX.] PRESERVE LEAF GUARD SYSTEM PER OWNER	
DOORS		[WHITE FINISH]	MARVIN	WINDOWS		CLIMATE GUARD (WHITE EXT/ WOOD INTERIOR TO MATCH EX OR TBD)	MARVIN

1. WINDOW SIZES : ROUGH OPENING TO BE VERIFIED IN FIELD W/ CHOSEN WINDOW MANUF. & CONTRACTOR PRIOR TO CONSTRUCTION
2. GLASS SIZES TO BE FOLLOWED AS CLOSE AS POSSIBLE PER DIFFERENT MANUF.
3. BEDROOM WINDOWS TO HAVE EGRESS HARDWARE & FOLLOW EGRESS REQUIREMENTS AS LABELED ON ELEVATIONS.
4. WINDOWS IN WHICH THE BOTTOM EDGE OF THE WINDOW IS LESS THAN 18" ABOVE THE TOP OF THE FLOOR ARE REQUIRED TO BE TEMPERED.
5. FIELD VERIFY EMERGENCY ESCAPE & RESCUE OPENINGS IN SLEEPING ROOMS
   EGRESS WINDOW REQUIREMENTS
   PROVIDE A NET CLEAR OPENING OF 5.7 SF OR GREATER, ACHIEVED BY SIMPLY OPENING THE WINDOW
   PROVIDE A NET CLEAR OPENING OF 5.0 SF OR GREATER FOR GRADE LEVEL WINDOWS.
   A MINIMUM CLEAR WIDTH OF 20"
   A MINUMUM CLEAR HEIGHT OF 24"
   A SILL HEIGHT OF LESS THAN 44" AFF
6. ALL NEW WINDOWS TO HAVE A MAX. U-FACTOR OF 0.30
7. ALL BATHROOM GLASS SHALL BE SAFETY GLAZING, PERMANENTLY ETCHED, AND THE ETCHING SHALL BE VISIBLE AFTER INSTALLATION TO VERIFY COMPLIANCE. SECTION: IRC R308.4

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KEVIN PURDOM, ARCHITECT

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LICENSED ARCHITECT
KEVIN
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CERT NO. 001.025823 **DATE:**
EXP. 11/30/2024 1- 05/11/2023

SHEET TITLE

ELEVATIONS

SHEET NUMBER

A5

R905.1.2 ICE BARRIERS

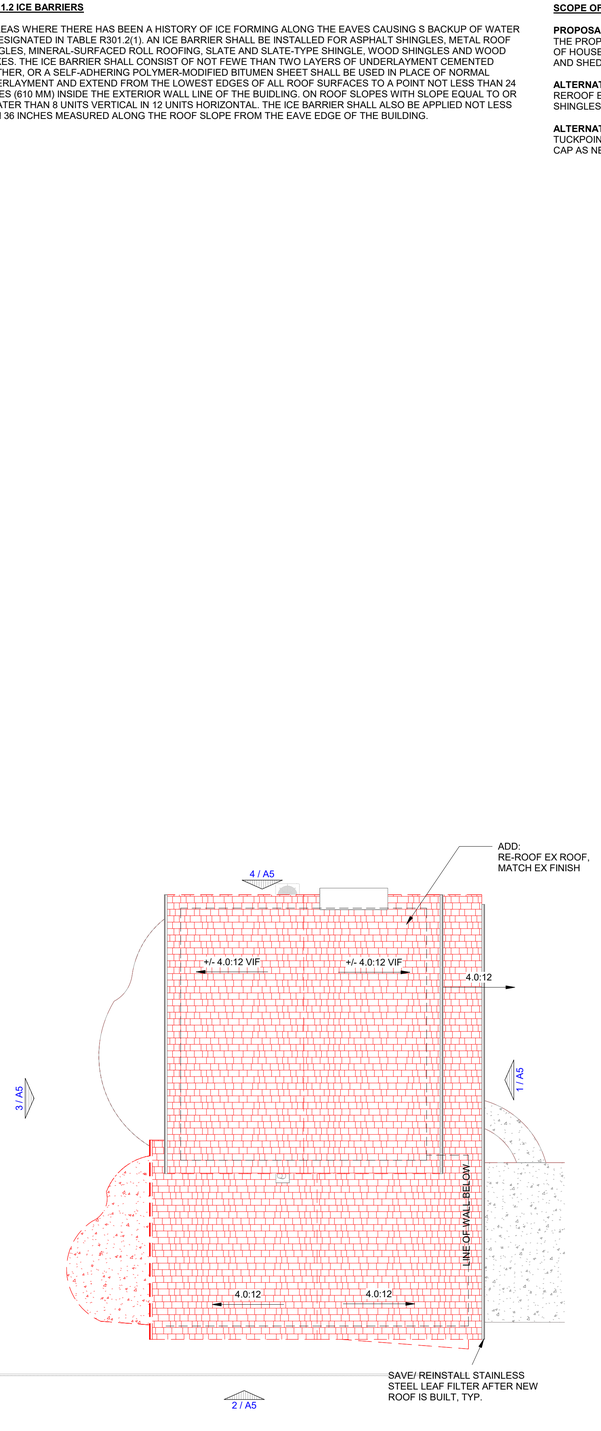
IN AREAS WHERE THERE HAS BEEN A HISTORY OF ICE FORMING ALONG THE EAVES CAUSING S BACKUP OF WATER AS DESIGNATED IN TABLE R301.2(1). AN ICE BARRIER SHALL BE INSTALLED FOR ASPHALT SHINGLES, METAL ROOF SHINGLES, MINERAL-SURFACED ROLL ROOFING, SLATE AND SLATE-TYPE SHINGLE, WOOD SHINGLES AND WOOD SHAKES. THE ICE BARRIER SHALL CONSIST OF NOT FEWE THAN TWO LAYERS OF UNDERLAYMENT CEMENTED TOGTHER, OR A SELF-ADHERING POLYMER-MODIFIED BITUMEN SHEET SHALL BE USED IN PLACE OF NORMAL UNDERLAYMENT AND EXTEND FROM THE LOWEST EDGES OF ALL ROOF SURFACES TO A POINT NOT LESS THAN 24 INCHES (610 MM) INSIDE THE EXTERIOR WALL LINE OF THE BUIDLING. ON ROOF SLOPES WITH SLOPE EQUAL TO OR GREATER THAN 8 UNITS VERTICAL IN 12 UNITS HORIZONTAL, THE ICE BARRIER SHALL ALSO BE APPLIED NOT LESS THAN 36 INCHES MEASURED ALONG THE ROOF SLOPE FROM THE EAVE EDGE OF THE BUILDING.

SCOPE OF WORK AND ALTERNATES:

PROPOSAL
THE PROPOSAL CALLS FOR 250 SF ADDITION OFF BACK OF HOUSE WITH GABLE ROOF OVER FAMILY ROOM AND SHED ROOF OVER EATING AREA.

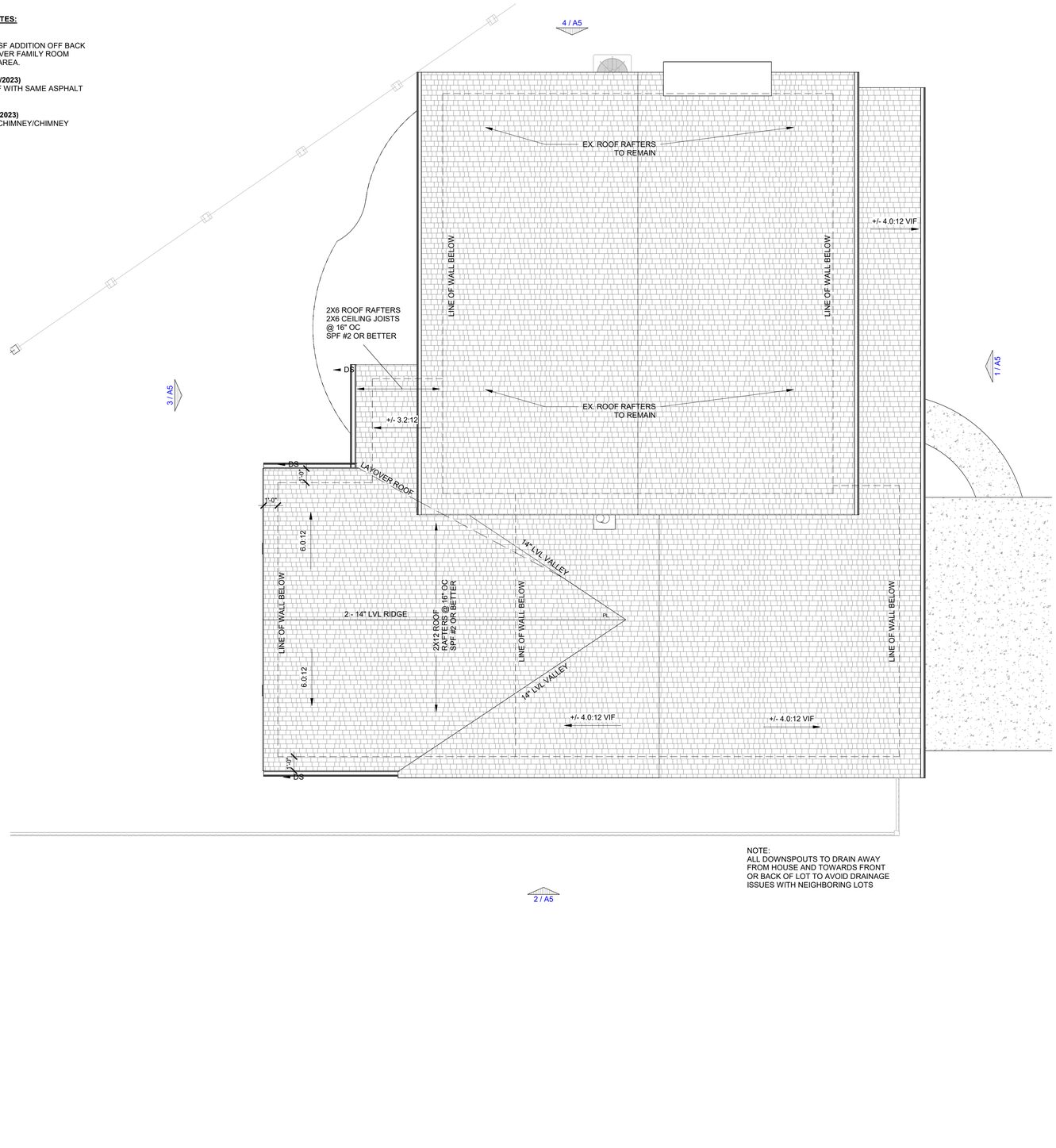
ALTERNATE 7: (ACCEPTED 01/02/2023)
REROOF ENTIRE EXISTING ROOF WITH SAME ASPHALT SHINGLES

ALTERNATE 8:(ACCEPTED 01/02/2023)
TUCKPOINT BRICK AND REPAIR CHIMNEY/CHIMNEY CAP AS NEEDED.



1 A4 ROOF PLAN - EX/DEMO

1/8" = 1'-0"



2 A4 ROOF PLAN - PROPOSED

1/4" = 1'-0"

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CERT NO. 001.025823 **DATE:**
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1- 05/11/2023

SHEET TITLE

ROOF PLAN & STAIR DETAILS

SHEET NUMBER

A4

Zoning Board of Appeals
6/12/2023

Item: 329 S. Burton Pl. - ZBA#23-015

Department: Planning & Community Development

REQUEST

1. A 2.9-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 5.1 feet instead of the required 8.0 feet and an additional 1.0 foot for the eave.

2. A 418 square foot variance from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 4,196 square feet instead of the maximum allowed 3,778 square feet.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

Petition – ZBA#23-015
PIN: 03-32-107-036

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 12, 2023
Date Prepared: June 7, 2023
Project Title: Tosch Residence
Address: 329 S. Burton Pl.

Background Information

Petition Number: ZBA #23-015
Petitioner: Jackie Mortimer / Advance Design Studio Ltd.
Address: 30 Railroad St.
Gilberts IL 60136

Existing Zoning: R-3 – Residential Single-Family District

Requested Action/Background Information

The petitioner is proposing a one story addition in the rear of the existing two-story residence. The subject site is zoned R-3, One Family Dwelling District. The property has a total land area of 8,395 square feet and the proposed residence with the addition will be 4,196 square feet. Along the south property line, the proposed addition encroaches 2.9 feet into the required side yard setback. In addition, the home with the proposed addition exceeds the allowable floor area ratio. Therefore, the petitioner is requesting the following variations:

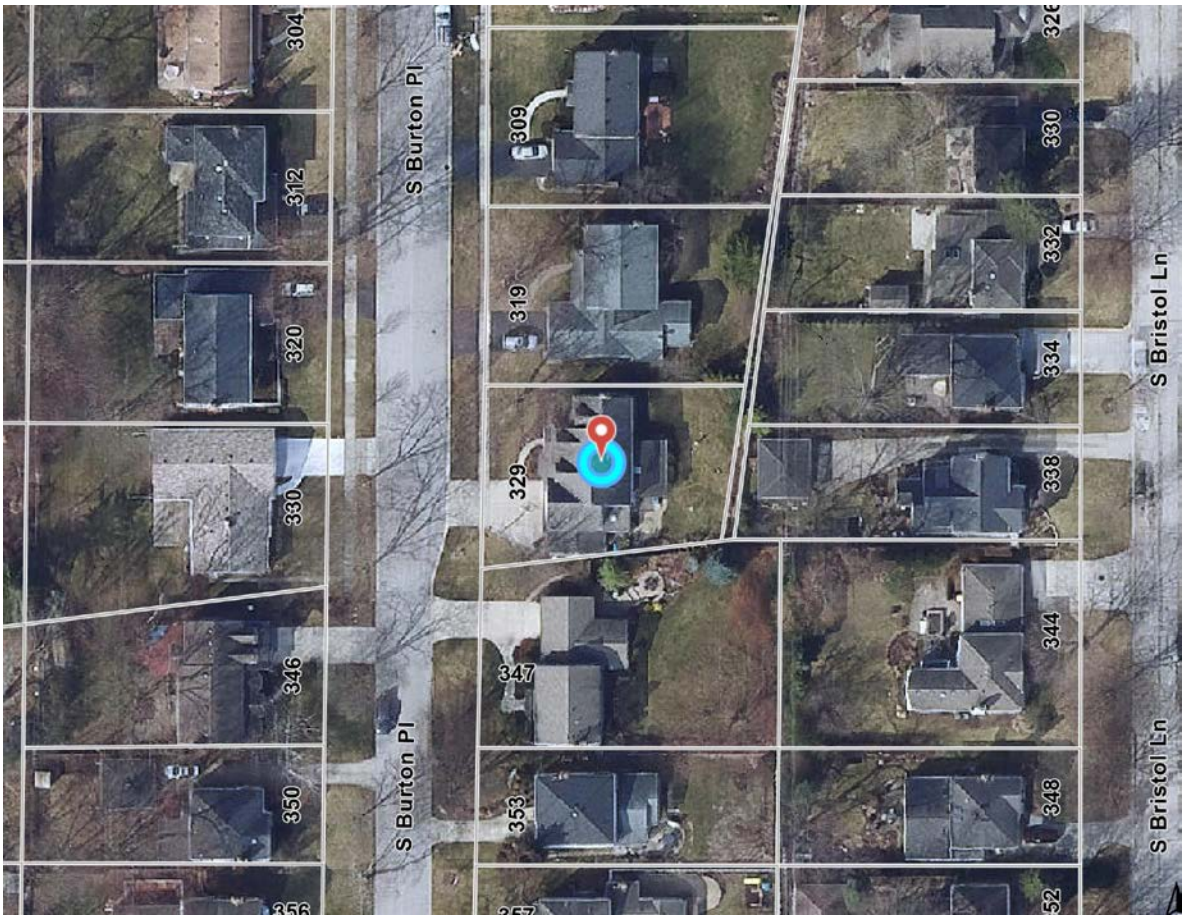
- A 2.9-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 5.1 feet instead of the required 8.0 feet and an additional 1.0 foot for the eave.
- A 418 square foot variance from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 4,196 square feet instead of the maximum allowed 3,778 square feet.

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and (2) the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and (3) the proposed variation is in harmony with the spirit and intent of this Chapter; and (4) the variance requested is the minimum variance necessary to allow reasonable use of the property. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four conditions enumerated.

Petition – ZBA#23-015
PIN: 03-32-107-036

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

Item	Provided	Dated	Remarks
1. Notification Affidavit	✓	5/15/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/15/23	
3. Letter that was Mailed	✓	5/15/23	
4. Photographs of Sign on Property	✓	5/15/23	

Photographs of Existing Structure



Village of Arlington Heights
Building & Life Safety Department

Interoffice Memorandum

To: **Derek Mach, Zoning Board of Appeals Liaison**

From: **Nusrat Jahan, Building & Life Safety Department**

Project Name: **Tosch Residence**

Project Address: **329 S. Burton Place**

ZBA #: **23-015**

Date: **May 25, 2023**

Derek:

I have reviewed the request for the following variance:

- **A 2.9-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 5.1 feet instead of the required 8.0 feet and an additional 1.0 foot for the eave.**
- **A 418 square foot variance from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 4,196 square feet instead of the maximum allowed 3,778 square feet.**

and have the following comments:

1. The south part of the proposed addition eave soffit within 5 feet of the property line shall have a 1-hour fire-resistance rating or solid blocking between the top plate and the roof sheathing.

I have no objections or comments on the proposed FAR.

ZBA# 23-015
329 S. Burton Pl - ZBA
Rev. Eng: Mike Pagones, P.E., Village Engineer
cc: Briget Schwab, P.E.

Application Date: April 17, 2023
Received by Planning:
Transmitted to Engineering: May 23, 2023
Completed: June 1, 2023
ZBA Meeting Date: June 12, 2023

The proposed ZBA application indicates that the petitioner is seeking:

- **A 2.9-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 5.1 feet instead of the required 8.0 feet and an additional 1.0 foot for the eave.**
- **A 418 square foot variance from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 4,196 square feet instead of the maximum allowed 3,778 square feet.**

The Engineering Division has NO OBJECTION to the proposed variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards). The proposed side yards should be graded to ensure positive drainage from adjacent properties.

The Engineering Division has NO COMMENT to the proposed variation from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District).

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Tosch Residence

Project Address: 329 S. Burton Place

ZBA #: 23-015

ZBA Hearing Date: June 12, 2023

To:	Mike Pagones, Village Engineer Jorge Torres, Director of Building and Life Safety
C:	Michael Lysicatos, Assistant Director of Planning and Community Development Steve Hautzinger, Design Planner
From:	Derek Mach, Landscape Planner
Transmitted On:	May 23, 2023

- A 2.9-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 5.1 feet instead of the required 8.0 feet and an additional 1.0 foot for the eave.
- A 418 square foot variance from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 4,196 square feet instead of the maximum allowed 3,778 square feet.

Attached are the Petitioner's:

- ❑ Application & Petition
- ❑ Plat of Survey
- ❑ Site Plan
- ❑ Other: _____

Comments:

Architecturally, the design of the proposed addition fits with the style of the existing house. A Design Commission application is not required since the addition is a single-story, rear yard addition, which will not be visible from the street.

- Steve Hautzinger, Design Planner

PETITION

The following petition form shall be used when submitting a petition for a variation from Chapter 28 of the Arlington Heights Municipal Code. This must be submitted with a fully executed application to the Zoning Board of Appeals. Please refer to Section 12 of Chapter 28 if the Arlington Heights Municipal Code for information regarding the criteria by which the Zoning Board of Appeals will evaluate variation requests. (Attached to this application packet.)

PETITION

NOW COMES the Petitioner Jackie Mortimer of Advance Design Studio, Ltd. on Behalf of Randall Tosch

being the owner of the property commonly know as: 329 S. Burton Pl ace

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-3.3

Chapter 28, of the Arlington Heights Municipal Code, in order to: add an addition that encroaches into the side yard setbacks.

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): The proposed addition is planned to be added on to the back of the house & will not be visible from the front of the home, thus it will have no impact or detriment to the character of the neighborhood.

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): Please see the attached letter from the Tosch family. The proposed addition will allow the Tosch family to further enjoy their home and neighborhood as their space needs evolve.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): The proposed addition does not negatively impact the environment or existing requirements of this chapter. It's encroachment into the setback is less than the home's current encroachment at the existing garage (2.99' off PL) and it is only at the back right corner. The front of the addition sits well withing the required setbacks.

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): Given the size and shape of the property and the given layout of the home's existing floor plan it was not possible to achieve a layout that suited the needs of the client. The current layout has already been adjusted down and configured to the extent possible that minimized the encroachment into the setback.

Signed: _____ Date: 4/26/23

Petitioner

NOW COMES the Petitioner Jackie Mortimer of Advance Design Studio, Ltd. On behalf of Randy and Erin Tosch, being the owners of the property commonly known as 329 S. Burton Place, Arlington Heights, IL 60005 and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-3.3, Chapter 28, of the Arlington Heights Municipal Code, in order to build an addition on an existing side yard setback.

I herby state that the following hardship would exist if the variation were not granted: Randy and Erin have wanted to expand their kitchen and family room to their home for several years now. While they love their home and it has enough bedrooms for their children, it has an unusually small kitchen and family room, making it difficult for their family to gather. After a rigorous series of redrawn plans, with much heartache due to limitations that they discovered much later in the process, they have finally settled on a scaled back plan they are happy with that would allow them to stay in their home for many years.

As residents of Arlington Heights for close to 18 years, they have truly enjoyed the opportunity to be part of the community. They are currently raising four young children and are very active volunteers within Dryden Elementary School, South Middle School, and the broader community. They would like to stay in this home to raise their family and keep their kids in the schools where they are now well acclimated. However, if they have to scale back on the size of the addition, they are afraid that they may have to look at alternative options that do not allow them to build an addition, forcing them to lose a great deal of money that they've already invested, and search for other homes outside of the neighborhood that they've grown to love.

I hereby state that the following unique circumstances exist: Mr. & Mrs. Tosch were shocked when they found out that the new addition encroaches on the property line. Previous owners of this home had an addition completed with their garage that is closer to the property line than their current plans. They have also noticed additions on homes in their subdivision that are even closer to their property lines than what they are trying to do with their home. They have close, established relationships with all their neighbors on their street. In fact, they purchased this home from neighbors who reached out and offered it to them several years ago as they wanted to see their family enjoy it. The relationships they have with their neighbors are what has inspired them to build this addition rather than move into another home.

I hereby state that the variation, if granted, will not alter the essential character of the locality because the designer and architects design fits well with the scale of the existing house and the neighborhood. The design creates a cohesive appearance that will blend with the rest of the home.



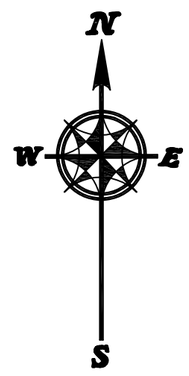
MURRY AND MOODY, LTD.

Land Surveyors

Illinois Professional Land Surveying Firm Corporation License No. 184-002845

933 S. Plum Grove Road, Suite 101
Palatine, Illinois 60067

www.murrysurvey.com info@murrysurvey.com Phone: (847)358-5960



1" = 20'

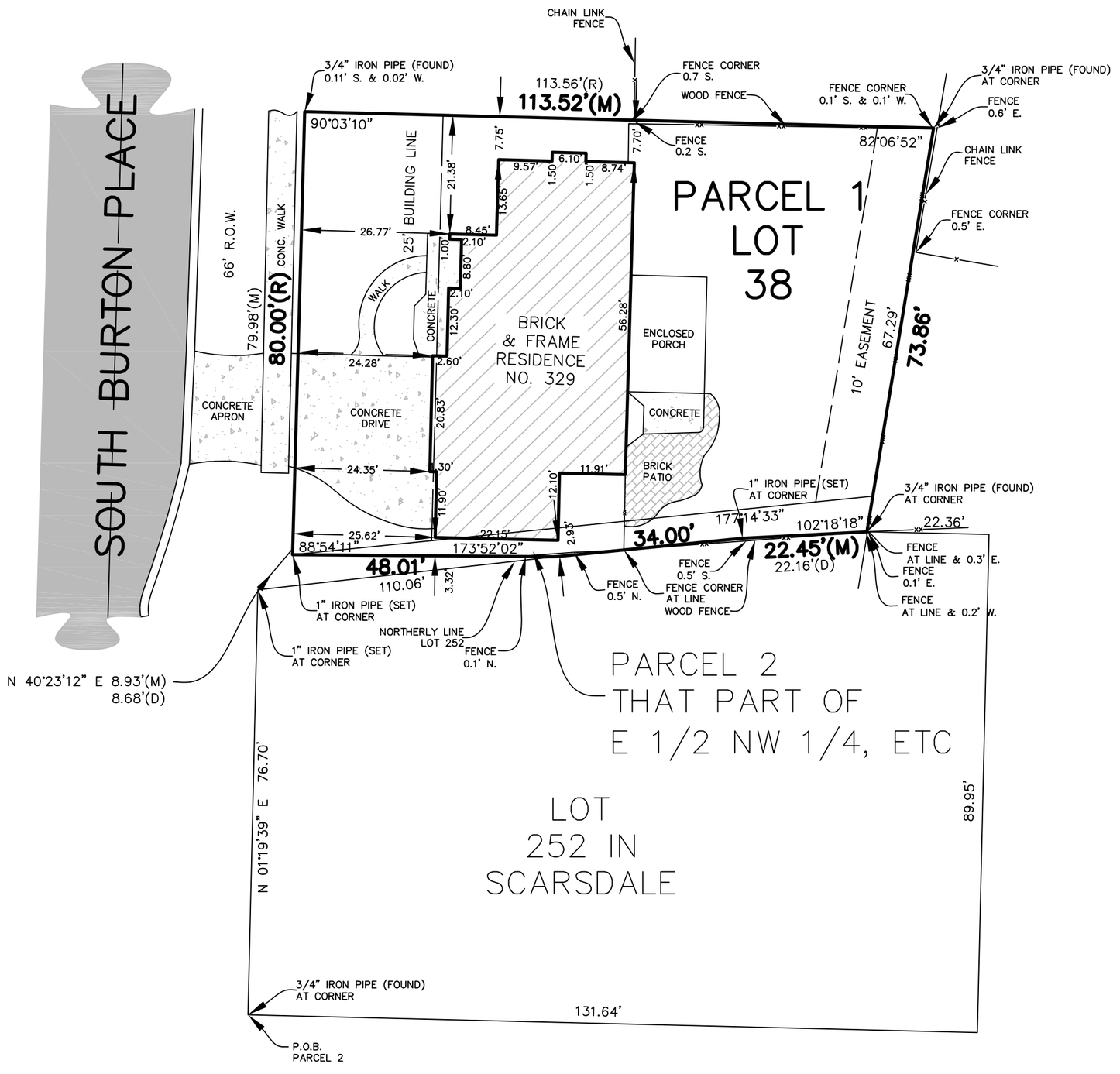
PLAT OF SURVEY

OF

PARCEL 1: LOT 38 IN W. E. TRUDE'S SCARSDALE MANOR, BEING A SUBDIVISION IN THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A PIPE FOUND AT THE SOUTHWEST CORNER OF LOT 252 IN SCARSDALE, A SUBDIVISION OF PART OF THE WEST ½ OF THE EAST ½ AND PART OF THE EAST ½ OF THE WEST ½ OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN AS RECORDED FEBRUARY 3, 1929, AS DOCUMENT 440137 IN COOK COUNTY, ILLINOIS; THENCE NORTHERLY ALONG THE EASTERLY RIGHT OF WAY OF BURTON PLACE, AS MONUMENTED AND OCCUPIED, AT AN ASSUMED BEARING OF NORTH 01 DEGREES, 19 MINUTES 39 SECONDS EAST, 76.70 FEET (RECORD) TO THE NORTHWEST CORNER OF SAID LOT 252; THENCE NORTH 40 DEGREES 23 MINUTES 12 SECONDS EAST 8.68 FEET, ALONG THE EASTERLY RIGHT OF WAY OF BURTON PLACE, AS MONUMENTED AND OCCUPIED, TO THE SOUTHWEST CORNER OF LOT 38 (FROM WHICH POINT A PIPE WAS FOUND 0.43 EASTERLY) FOR A PLACE OF BEGINNING; THENCE SOUTH 89 DEGREES 13 MINUTES 26 SECONDS EAST, 48.01 FEET TO A POINT; THENCE NORTH 84 DEGREES, 19 MINUTES 38 SECONDS EAST 34.00 FEET TO A POINT; THENCE NORTH 85 DEGREES 57 MINUTES 51 SECONDS EAST 22.16 FEET TO A PIPE FOUND AT THE WESTERLY TERMINUS OF THE MOST NORTHERLY LINE OF THE ABOVE MENTIONED LOT 252; THENCE NORTH 07 DEGREES 27 MINUTES 07 SECONDS EAST ALONG THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF THE ABOVE MENTIONED LOT 38, 6.31 FEET TO THE SOUTHEAST CORNER OF SAID LOT 38; THENCE SOUTH 84 DEGREES, 15 MINUTES 33 SECONDS WEST 105.29 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS..

AREA = 8,389± S.F. / 0.193 ACRE



LEGEND AND NOTES

Dimensions shown thus: 50.25 are feet and decimal parts thereof. Angular data shown thus: 90°00'00" indicate degrees, minutes and seconds.

50.25 / N 90°00'00" E indicates measure dimension / bearing.
(50.25) / (N 90°00'00" E) indicates record dimension / bearing.
[50.25 d] / [N 90°00'00" E d] indicates deed dimension / bearing.

Bearings shown hereon, if any, per local or assumed data, unless shown otherwise.

Compare your points before using same and report any differences immediately.

Check legal description with deed or title policy and report any discrepancy immediately. Building lines and easements, if any, shown hereon are as shown on the recorded subdivision plat or as indicated.

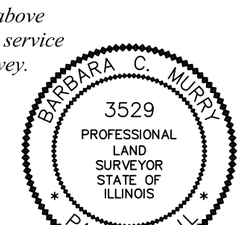
Order Number: 19-1205
Survey Made For: Waltz, Palmer Dawson, LLC

STATE OF ILLINOIS } S.S.
COUNTY OF COOK }

I, Barbara C. Murry, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the above described property, and that the above plat is a correct representation of said survey and that this professional service conforms to the current Illinois minimum standards for a boundary survey.

Date of completion of field work: August 12, 2019

Palatine, Illinois: August 27, 2019

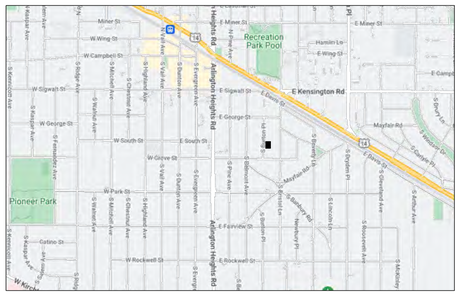


Illinois Professional Land Surveyor - Barbara C. Murry 035-003529
License Renewal date: November 30, 2020

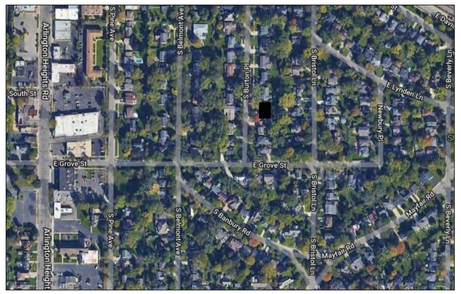
Project Number: 19120500
Field Book: 211L-70-70
Drawing File: 19120500.dwg

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VICINITY MAP



LOCATION MAP



SYMBOL LIST

- NAME / NUMBER — ROOM NAME AND NUMBER
- 1 / A101 — BUILDING SECTION 1=SECTION NO. A101= SHEET NO.
- 1 / A101 — WALL SECTION 1=SECTION NO. A101= SHEET NO.
- 1 / A101 — ELEVATION 1=ELEVATION NO. A101= SHEET NO.
- 1 / A101 — DETAIL SECTION 1=DETAIL NO. A101= SHEET NO.
- 1 / A101 — DETAIL CALLOUT 1=DETAIL NO. A101= SHEET NO.
- XXa — PARTITION MARK (REF. PARTITION TYPES)
- A101 — DOOR TAG
- AA, 1' - 0" X1' - 0" — WINDOW MARK
- NORTH ARROW
- 1'-0" A.F.F. — CEILING TAG W/ HEIGHT
- NAME / ELEVATION — LEVEL MARK
- B.5 — COLUMN GRID
- 003A — FINISH FLOOR ELEVATION
- 1 — PLAN NOTE & DEMO NOTE
- 99 — REVISION
- 0 2' 4' 8' — GRAPHIC SCALE
- CM — CARBON MONOXIDE DETECTOR
- SD — SMOKE DETECTOR

MATERIAL LEGEND

- FACE BRICK (PLAN/SECTION)
- CAST STONE (ELEVATION)
- RIGID INSULATION
- SPRAY INSULATION
- CONCRETE MASONRY
- ASPHALT SHINGLES
- CONCRETE
- UNDISTURBED EARTH
- DISTURBED EARTH
- STEEL
- GYPSUM BOARD
- DRAINAGE FILL
- PLYWOOD
- BLANKET OR LOOSE FILL INSULATION
- DEMOLITION
- EXISTING
- NEW PARTITION

PROJECT DATA

PIN: 03321070360000

PROJECT ADDRESS: (VILLAGE OF ARLINGTON HEIGHTS)
329 SOUTH BURTON PLACE,
ARLINGTON HEIGHTS, IL 60005

LOT SIZE: 0.1927 ACRES (8,395 SF)

PROJECT DESCRIPTION:
CONSTRUCTION AND RENOVATION OF KITCHEN, LIVING/DINING SPACE ADDITION AND A SCREENED PORCH TO AN EXISTING RESIDENCE

JURISDICTION: VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS

CODES:
2018 INTERNATIONAL RESIDENTIAL CODE
2018 INTERNATIONAL MECHANICAL CODE
2018 INTERNATIONAL FUEL GAS CODE
2018 INTERNATIONAL FIRE CODE
2017 NATIONAL ELECTRIC CODE
ILLINOIS PLUMBING CODE
ILLINOIS ENERGY CONSERVATION CODE
ARLINGTON HEIGHTS CODE AMENDMENTS

BASE ZONE: R-3

CONSTRUCTION TYPE: V-B

REQUIRED YARDS/SETBACKS:

FRONT:	25'-0"(EXISTING)
REAR:	30'-0"
SIDE:	7'-4"

SURFACE SUMMARY CALCULATION

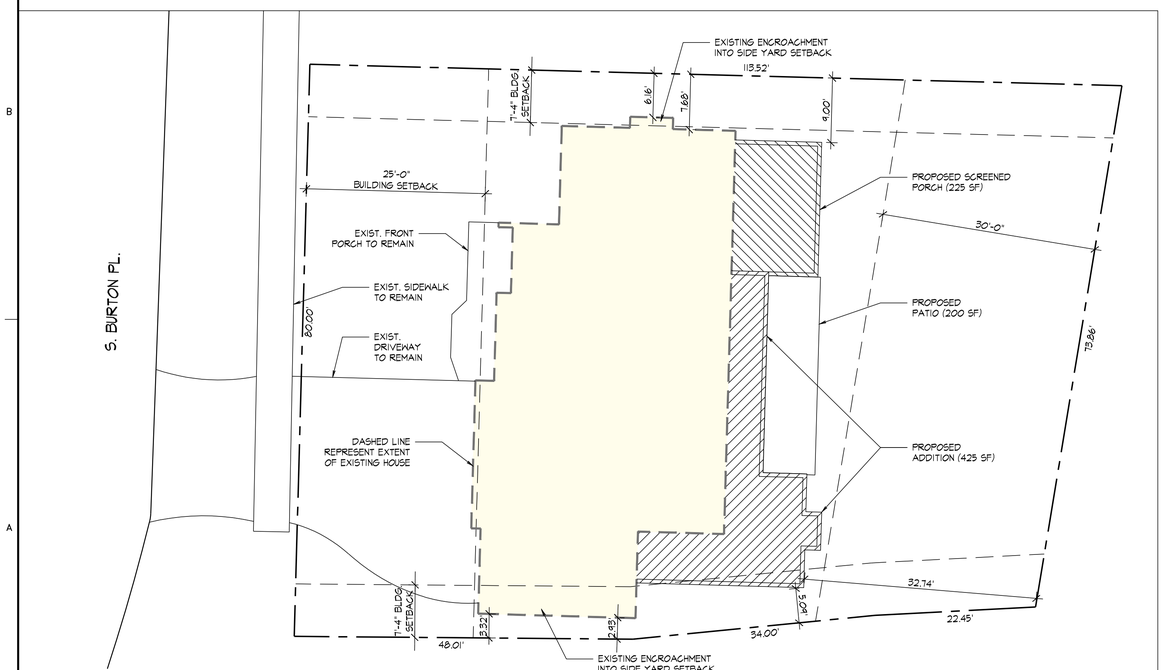
	EXISTING		PROPOSED	
BUILDING	2,067 SF	(25%)	2,673 SF	(32%)
PAVING	1,597 SF	(19%)	1,067 SF	(13%)
PERVIOUS	4,731 SF	(56%)	4,655 SF	(55%)
TOTAL (LOT AREA)	8,395 SF	(100%)	8,395 SF	(100%)

MAXIMUM BUILDING COVERAGE 2,938 SF

MAXIMUM IMPERVIOUS COVERAGE 4,198 SF

GENERAL NOTES

1. COORDINATE ALL NEW UTILITY RUNS TO HOUSE WITH SERVICE PROVIDERS
2. UTILITIES SERVICE RUNS LOCATED ON PLAN ARE REPRESENTATIONAL. VERIFY ACTUAL RUNS & PLACEMENT.
3. ALL WORK TO COMPLY WITH CURRENT LOCAL CODE REQUIREMENTS
4. MAINTAIN EXISTING GRADES AND DRAINAGE PATTERNS



N.

Site Plan 1" = 10' **A3**

CONTACTS

OWNER:
CONTACT: TOSCH
329 S. BURTON PLACE
ARLINGTON HEIGHTS, IL 60005

BUILDER:
ADVANCE DESIGN STUDIO, LTD.
CONTACT: CLAUDIA POP
30 RAILROAD STREET GILBERTS, IL 60136
847-836-2600
CLAUDIA@ADVANCEDESIGNSTUDIO.COM

ARCHITECT:
CT DESIGN+DEVELOPMENT
LICENSE NUMBER: 001.025313
LICENCE NUMBER EXPIRES: 11.30.2024

CONTACT: CHRIS CUNNINGHAM
414.335.8067
CCUNNINGHAM@CTDESIGNDEV.COM
1165 W. GREEN TREE RD.
RIVER HILLS, WI 53217

GENERAL NOTES:

1. ALL DIMENSIONS ARE TO EDGE OF SLABS, EDGE OF WALLS OR TO INDICATED CENTERLINES / GRIDLINES. NOT TO FACE OF DRYWALL. FIELD VERIFY ALL DIMENSIONS.
2. GRIDLINES ARE SET AT THE EDGE OF SLAB, WALLS OR CENTER OF FOOTINGS AND COLUMNS UNLESS DIMENSIONED OTHERWISE
3. ANY KNOWN DISCREPANCIES BETWEEN THE DOCUMENTS AND ACUTAL CONDITIONS SHALL BE REPORTED TO THE ARCHITECT AND WRITTEN RESOLUTION IS TO BE ACQUIRED BY THE CONTRACTOR PRIOR TO PROCEEDING WITH WORK RELATED TO THE DISCREPANCY
4. ALL WORK TO COMPLY WITH CURRENT LOCAL CODE REQUIREMENTS
5. ALL DASHED OR GREY FURNITURE AND FURNISHINGS TO BE PROVIDED BY OWNER. GENERAL CONTRACTOR TO COORDINATE INSTALLATION
6. ALL INTERIOR PARTITIONS ARE TYPE 'A' U.N.O.
7. FURNITURE FOR INFORMATIONAL PURPOSES ONLY
8. ALL WALLS AND FLOORS ARE TO RECIEVE SOUND OR THERMAL BATT INSULATION
9. ALL WALLS & SOFFITS TO BE BRACED TO STRUCTURE AS NECESSARY
10. ALL WORK SHALL BE IN CONFORMANCE WITH APPLICABLE BUILDING CODES, CITY / COUNTY ORDINANCES, UTILITY PROVIDER REQUIREMENTS AND OTHER STANDARDS REQUIRED BY THE AUTHORITY HAVING JURISDICTION.
11. ALL REQUIRED PERMITS AND OTHER DOCUMENTATION REQUIRED FOR CONSTRUCTION AND OCCUPANCY SHALL BE OBTAINED AND PROVIDED TO THE OWNER AND/OR ARCHITECT. IF PERMITS ARE ISSUED SUBJECT TO THE CONDITIONS OR REVISIONS TO THE WORK, OR PERMITS ARE DELAYED FOR ANY REASON THE CONTRACTOR SHALL NOTIFY THE OWNER AND/OR ARCHITECT IMMEDIATELY.
12. REQUIRED INSPECTIONS OF THE WORK SHALL BE OBTAINED AND UPDATES TO THE OWNNER AND/OR ARCHITECT REGARDING THE STATUS OF INSPECTIONS IS THE RESPONSIBITY OF THE GENERAL CONTRACTOR.
13. COORDINATE ALL WORK WITH APPLICABLE UTILITY PROVIDERS
14. CONTRACTORS SHALL BE KNOWLEDGEABLE WITH AND IN COMPLIANCE WITH REFERENCED FIRE-RATED ASSEMLY TESTS AND STANDARDS
15. CONTRACTOR IS RESPONSIBLE FOR THE SAFETY OF ALL CONSTRUCTION PERSONELL AND VISITORS.
16. ALL CONTRACTORS, SUB-CONTRACTORS AND INSTALLERS SHALL EXAMINE THE CONDITIONS WHICH AFFECT THE INSTALLATION AND QUALITY OF EACH PRODUCT TO BE INSTALLED. IF ANY CONDITIONS EXISTS WHICH WILL EFFECT THE QUALITY OF THE INSTALLATION, THE INSTALLER SHALL IMMEDIATELY NOTIFY THE GENERAL CONTRACTOR. INSTALLATION SHALL NOT PROCEED UNTIL THE UNSATISFACTORY CONDITIONS ARE CORRECTED. INSTALLTION SHALL SIGNIFY ACCEPATANCE OF THE CONDITIONS AND BECOME THE RESPONSIBILITY OF THE INSTALLER.
17. CONTRACTORS SHALL NOT SCALE THE DRAWINGS. WRITTEN DIMENSIONS SHALL BE USED WHERE GIVEN. CONTACT THE ARCHITECT IF CLARIFICAITON IS REQUIRED.
18. CONTRACTOR IS RESPONSIBLE FOR THE MEANS, METHODS AND SEQUENCES OF CONSTRUCTION
19. ALL CONTRACTORS AND SUB-CONTRACTORS SHALL BE LISCENCED BY THE CITY AS REQUIRED BY CITY ORDINACES / APPLICABLE CODES.

SHEET INDEX

G000	COVER/ SITE PLAN
S101	STRUCTURAL PLANS
A101	FLOOR PLANS
A201	ELEVATIONS

22.0265

Tosch Residence

329 S. Burton Place, Arlington Heights, IL 60005

APPROVED BY:

Name: _ _ _	Date: --.--.--
Name: _ _ _	Date: --.--.--
Name: _ _ _	Date: --.--.--

C.T DESIGN + DEVELOPMENT

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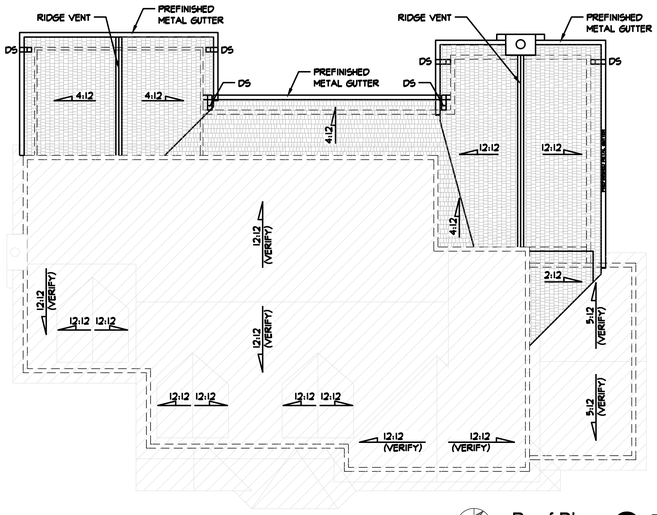
G000

COVER/ SITE PLAN

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DATE PRINTED: Thursday, May 11, 2023
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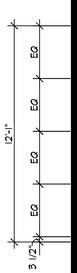
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N.

Roof Plan **C4**

1/8" = 1'-0"



Plan Legend:

- EXIST. WALLS
- NEW WALLS
- NO WORK AREA

Ceiling Legend:

- CEILING FAN
- EXTERIOR WALL SCONCE
- GARAGE CAN LIGHT
- DECORATIVE LIGHT FIXTURE

Electrical Notes:

-VERIFY LOCATIONS OF ALL ELECTRICAL w/ OWNER PRIOR TO ROUGH-IN.
-COORDINATE ALL WORK w/ OWNER PROVIDED EQUIPMENT AND UTILITIES
-ALL SECURITY AND LOW VOLTAGE WIRING FOR CABLE / CAMERAS / TV TO BE PROVIDED BY OWNER. PROVIDE CONDUIT AS REQ'D FOR INSTALLATION
-OUTDOOR RECEPTACLES IN WET LOCATIONS SHALL BE GFCI PROTECTED AND SHALL BE INSTALLED IN AN ENCLOSURE THAT IS WEATHER-TIGHT, REGARDLESS OF THE ATTACHMENT CAP BEING INSTALLED OR NOT.
-CEILING J-BOXES MUST BE RATED AND APPROVED FOR FAN SUPPORT.
-CEILING FAN TO BE RATED FOR EXTERIOR LOCATION AND TO BE GFCI PROTECTED.
-ALL ABOVE GROUND ELECTRICAL CONDUIT MUST BE METALLIC AND BE EITHER EMT, IMC, OR RIGID METALLIC PIPE.
-ALL NON-COMPLIANT ELECTRICAL DISCOVERED DURING DEMOLITION SHALL BE BROUGHT UP TO CODE.
-PROVIDE A GROUND WIRE IN ALL RACEWAYS.
-PROVIDE A NEUTRAL WIRE AT EACH SWITCH BOX LOCATION.
-ALL RECEPTACLES REQUIRE A PIGTAIL GROUNDING WIRE TO THE BOX.
-ALL WORK SHALL CONFORM TO THE 2014 EDITION OF THE NATIONAL ELECTRICAL CODE WITH ELGIN AMENDMENTS.

General Notes:

1. THE CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE THE CONTRACT DOCUMENTS WITH EACH OTHER AND WITH INFORMATION FURNISHED BY THE OWNER AND SHALL AT ONCE REPORT TO THE ARCHITECT ERRORS, INCONSISTENCIES, OR OMISSIONS DISCOVERED. IF THE CONTRACTOR PERFORMS ANY CONSTRUCTION ACTIVITY KNOWING IT INVOLVES A RECOGNIZED ERROR, INCONSISTENCY OR OMISSION IN THE CONTRACT DOCUMENTS WITHOUT SUCH NOTICE TO THE ARCHITECT, THE CONTRACTOR SHALL ASSUME APPROPRIATE RESPONSIBILITY FOR SUCH PERFORMANCE AND SHALL BEAR AN APPROPRIATE AMOUNT OF THE ATTRIBUTABLE COSTS FOR CORRECTION.

2. BEFORE ORDERING MATERIALS OR DOING ANY WORK, THE GENERAL CONTRACTOR AND ALL OF THE SUB-CONTRACTORS SHALL VERIFY ALL MEASUREMENTS ON THE DRAWINGS AND AT THE CONSTRUCTION SITE, AND SHALL BE RESPONSIBLE FOR THEIR CORRECTNESS, NO EXTRA COMPENSATION WILL BE ALLOWED ON ACCOUNT OF DIFFERENCES BETWEEN THE ACTUAL DIMENSIONS AND THOSE INDICATED ON THE DRAWINGS.

3. WORK SHALL CONFORM TO APPLICABLE CODES AND REGULATIONS OF AGENCIES HAVING JURISDICTION.

4. CONTRACTOR SHALL KEEP ALL AREAS UNDER CONSTRUCTION CLEAN AND CLEAR OF DIRT AND DEBRIS.

5. CONTRACTOR SHALL REPAIR DAMAGED SURFACES WHICH WERE DAMAGED BY CONSTRUCTION OR CLEAN-UP, AND CORRECT CONDITIONS TO MATCH SURROUNDING FINISHED CONDITIONS.

6. REPETITIVE FEATURES NOT NOTED ON THE DRAWINGS SHALL BE COMPLETELY PROVIDED AS IF DRAWN IN FULL.

7. DIMENSIONS ON DRAWINGS ARE TAKEN TO THE FACE OF CONCRETE, AND TO THE FACE OF THE STUD, UNLESS OTHERWISE NOTED. FIELD VERIFY ALL DIMENSIONS.

8. FIELD VERIFY MILLWORK DIMENSIONS AND ALL WINDOW AND DOOR DIMENSIONS.

9. PROTECT ALL PORTIONS OF THE EXISTING BUILDING OR SITE NOT SCHEDULED TO BE REMOVED. IF APPLICABLE, AND REPLACE OR REPAIR ALL SUCH ITEMS DAMAGED DURING CONSTRUCTION. PROVIDE PROTECTION AGAINST INCLEMENT WEATHER, WIND, FROST, EXCESSIVE HEAT, VANDALISM, AND ALL WORKERS, DELIVERY PERSONNEL, SUBCONTRACTORS, AND BUILDING INSPECTORS SO AS TO MAINTAIN ALL WORK, MATERIAL, APPARATUS, AND FIXTURES FREE FROM DAMAGE, INCLUDING SURFACE SCRATCHES AND BLEMISHES. ALL NEW AND EXISTING WORK LIKELY TO BE DAMAGED SHALL BE APPROPRIATELY COVERED OR PROTEXTED AT ALL TIMES. PROTECT ALL PLANTING AREAS FROM FOOT OR WHEEL TRAFFIC, AND AVOID CRUSHING SAME DUE TO STORED MATERIALS

22.0265

Tosch Residence

329 S. Burton Place, Arlington Heights, IL 60005

APPROVED BY:

Name:	_ _ _	Date:	--.--.--
Name:	_ _ _	Date:	--.--.--
Name:	_ _ _	Date:	--.--.--

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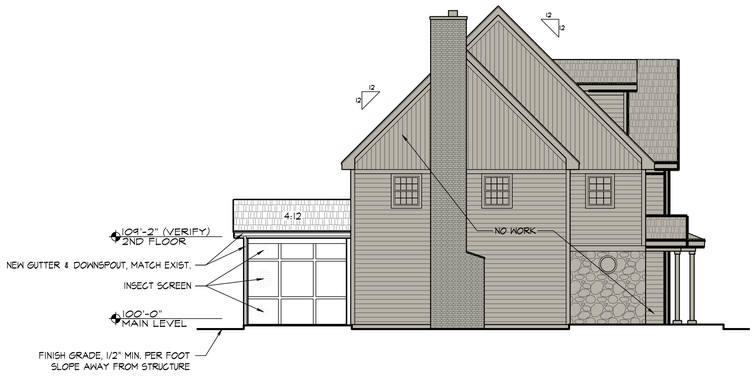
A101

MAIN LEVEL PLANS/ ROOF PLAN

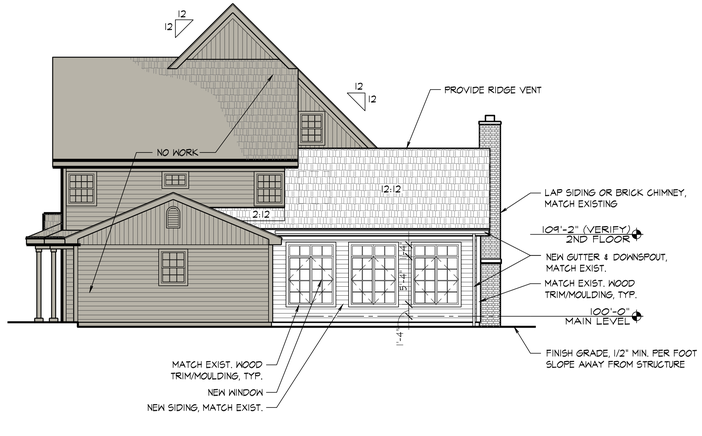
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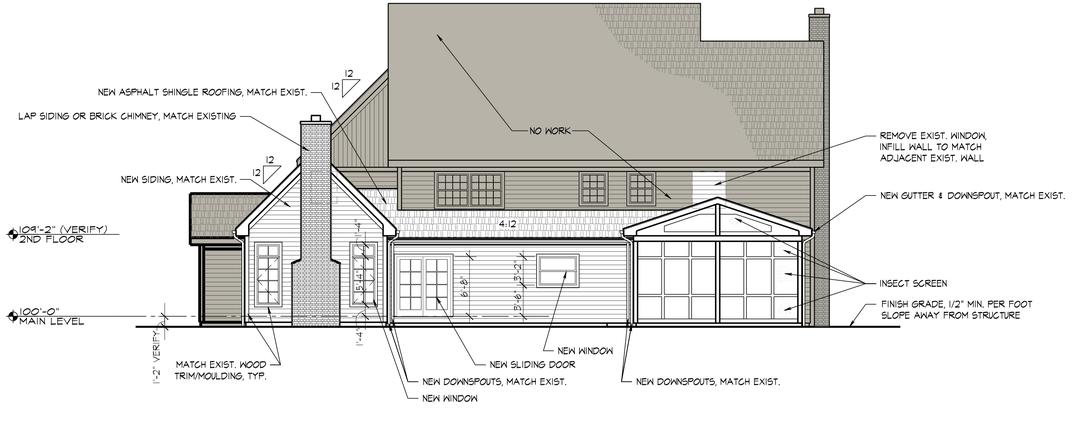
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North Elevation **C1**
1/8" = 1'-0"



South Elevation **A4**
1/8" = 1'-0"



East Elevation **A1**
1/8" = 1'-0"

Special Hazards:

GLAZING IN THE FOLLOWING LOCATIONS SHALL BE SAFETY GLAZING CONFORMING TO THE HUMAN IMPACT LOADS OF SECTION R308.3 (SEE EXCEPTIONS) (R308.4).

a. FIXED AND OPERABLE PANELS OF SWINGING, SLIDING AND BI-FOLD DOOR ASSEMBLIES.

b. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL ADJACENT TO A DOOR WHERE THE NEAREST VERTICAL EDGE IS WITHIN A 24-INCH ARC OF EITHER VERTICAL EDGE OF DOOR IN A CLOSED POSITION AND WHOSE BOTTOM EDGE IS LESS THAN 60 INCHES ABOVE THE FLOOR OR WALKING SURFACE.

c. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL THAT MEETS ALL OF THE FOLLOWING CONDITIONS:
- -EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 SQUARE FEET.
- -BOTTOM EDGE LESS THAN 18 INCHES ABOVE THE FLOOR
- TOP EDGE GREATER THAN 36 INCHES ABOVE THE FLOOR
- -ONE OR MORE WALKING SURFACES WITHIN 36 INCHES HORIZONTALLY OF THE GLAZING

d. GLAZING IN RAILINGS.

e. GLAZING IN ENCLOSURES FOR OR WALLS FACING HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATHTUBS, AND SHOWERS WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60 INCHES MEASURED VERTICALLY ABOVE ANY STANDING OR WALKING SURFACE.

f. GLAZING IN WALLS AND FENCES ADJACENT TO INDOOR AND OUTDOOR SWIMMING POOLS, HOT TUBS AND SPAS WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60 INCHES ABOVE A WALKING SURFACE AND WITHIN 60 INCHES, MEASURED HORIZONTALLY AND IN A STRAIGHT LINE, OF THE WATER'S EDGE.

g. GLAZING WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 36 INCHES ABOVE THE PLANE OF THE ADJACENT WALKING SURFACE OF STAIRWAYS, LANDINGS BETWEEN FLIGHTS OF STAIRS AND RAMPS.

h. GLAZING ADJACENT TO THE LANDINGS AT THE BOTTOM OF A STAIRWAY WHERE THE GLAZING IS LESS THAN 36 INCHES ABOVE THE LANDING AND WITHIN 60 INCHES HORIZONTALLY OF THE BOTTOM TREAD.

Notes:

1. PROVIDE 1/2" OSB OR PLYWOOD ROOF DECKING MATERIALS WHEN RAFTERS ARE SPACED A MAXIMUM OF 16" O/C. IF RAFTER SPACING EXCEEDS 16" O/C, THEN MINIMUM 5/8" DECKING MATERIALS ARE REQUIRED PER IRC R503.2.1 AS AMENDED.
2. 6* PROVIDE ICE AND WATERSHIELD ON ROOF EVES, EXTENDING A MINIMUM OF 2' INTO CONDITIONED SPACES BEYOND EXTERIOR WALL PER IRC 905.1.2.
3. ASPHALT SHINGLES MUST BE ATTACHED TO THE ROOF SHEATHING BY THE USE OF NAILS AS SPECIFIED IN SECTION R905.2.5, ROOF STAPLES ARE NOT ALLOWED PER SECTION R905.2 AS AMENDED.
4. PROVIDE ATTIC VENTILATION AT A RATIO OF 1:300, WITH 50-80% OF VENTS HIGH ON THE ROOF AND THE REMAINDER AT THE EVES.
5. ASPHALT SHINGLED ROOFS WITH A SLOPE BETWEEN 2:12 AND 4:12 SHALL HAVE DOUBLE UNDERLAYMENT PER IRC R905.1.1.
6. WOOD STRUCTURAL MEMBERS SUPPORTING MOISTURE PERMEABLE FLOORS OR ROOFS THAT ARE EXPOSED TO WEATHER SHALL BE PROTECTED FROM DECAY USING NATURALLY RESISTANT OR PRESERVATIVE TREATED LUMBER PER IRC R317.1.6.
7. PROVIDE A NOTCHED POST CAP WITH (2) 1/2" BOLTS, OR AN APPROVED PREFABRICATED METAL POST COLUMN CAP CONNECTION TO THE BEAM PER IRC FIGURE R507.7.1.
8. THE STAIR HANDRAIL HEIGHT, AS MEASURED VERTICALLY FROM THE SLOPED PLANE ADJOINING THE TREAD NOSING, SHALL BE NOT LESS THAN 34" AND NOT MORE THAN 38" PER IRC SECTION R311.7.8.1.
9. THE STAIR RISER HEIGHT SHALL BE NOT MORE THAN 7.75". THE STAIR TREAD SHALL BE NOT LESS THAN 10", AND BOTH SHALL MEET ALL REQUIREMENTS SET FORTH IN IRC SECTION R311.7.5.
10. ALL STAIR TREADS AND RISERS TO CONFORM TO IRC SECTION R311. PER IRC R311.7.5.1 OPEN RISERS ARE PERMITTED PROVIDING THAT THE OPENINGS LOCATED MORE THAN 30" ABOVE GRADE DO NOT PERMIT THE PASSAGE OF A 4" DIAMETER SPHERE.
11. THE GREATEST RISER HEIGHT OR TREAD RUN WITHIN A FLIGHT OF STAIRS SHALL NOT EXCEED THE SMALLEST BY MORE THAN 3/8" PER IRC SECTION R311.7.5.
12. A NOSING PROJECTION NOT LESS THAN 3/4" AND NOT MORE THAN 1.25" SHALL BE PROVIDED ON ALL STAIRWAYS WITH SOLID RISERS PER IRC SECTION R311.7.5.3.
13. PER IRC SECTION R311.7.8.3 THE GRIP SIZE FOR REQUIRED HANDRAILS SHALL HAVE AN OUTSIDE DIAMETER OF NOT LESS THAN 1.25" AND NOT MORE THAN 2" IF CIRCULAR. IF THE HANDRAIL IS NOT CIRCULAR IT SHALL HAVE A PERIMETER DIMENSION OF NOT LESS THAN 4" AND NOT GREATER THAN 6.25" WITH A CROSS SECTION OF NOT MORE THAN 2.25". HANDRAILS WITH A PERIMETER GREATER THAN 6.25" SHALL HAVE A GRASPABLE FINGER RECESS ON BOTH SIDES AND BE IN COMPLIANCE WITH IRC SECTION R311.7.8.3(2).
14. GUARDRAILS AND HANDRAILS SHALL BE DESIGNED FOR A SINGLE CONCENTRATED LOAD OF 200 POUNDS APPLIED IN ANY DIRECTION AT ANY POINT ALONG THE TOP (SECTION R301.5).
15. GUARD IN-FILL COMPONENTS (ALL EXCEPT THE HANDRAIL), BALUSTERS AND PANEL FILLERS SHALL BE DESIGNED TO WITHSTAND A HORIZONTALLY APPLIED NORMAL LOAD OF 50 POUNDS ON AN AREA EQUAL TO 1 SQUARE FOOT. THIS LOAD NEED NOT BE ASSUMED TO ACT CONCURRENTLY WITH ANY OTHER LIVE LOAD REQUIREMENT (SECTION R301.5).

22.0265

Tosch Residence

329 S. Burton Place, Arlington Heights, IL 60005

APPROVED BY:

Name:	- - -	Date: --.--.--
Name:	- - -	Date: --.--.--
Name:	- - -	Date: --.--.--

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Rel. Date: ##.##.2023

A201

ELEVATIONS

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DATE PRINTED:Monday, May 08, 2023
LAST SAVED:Monday, May 08, 2023
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Zoning Board of Appeals
6/12/2023

Item: 1223 N. Arlington Heights Rd. - ZBA#23-016

Department: Planning & Community Development

REQUEST

A 9.0 foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a width of 31.0 feet where a maximum width of 22 feet is permitted.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 12, 2023
Date Prepared: June 6, 2023
Project Title: Goujon Residence
Address: 1223 N. Arlington Heights Road

Background Information
Petition Number: ZBA #23-016
Petitioner: Christophe and Emilie Goujon
Address: 1223 N. Arlington Heights Road
Arlington Heights IL 60004

Existing Zoning: R-3 – Residential Single-Family District

Requested Action/Background Information

The subject property is zoned R-3, One Family District. The petitioner is proposing to increase the width of the driveway. The proposed expansion results in a driveway with a width of 31 feet where a maximum width of 22 feet is permitted. Therefore, the petitioner requests the following variation:

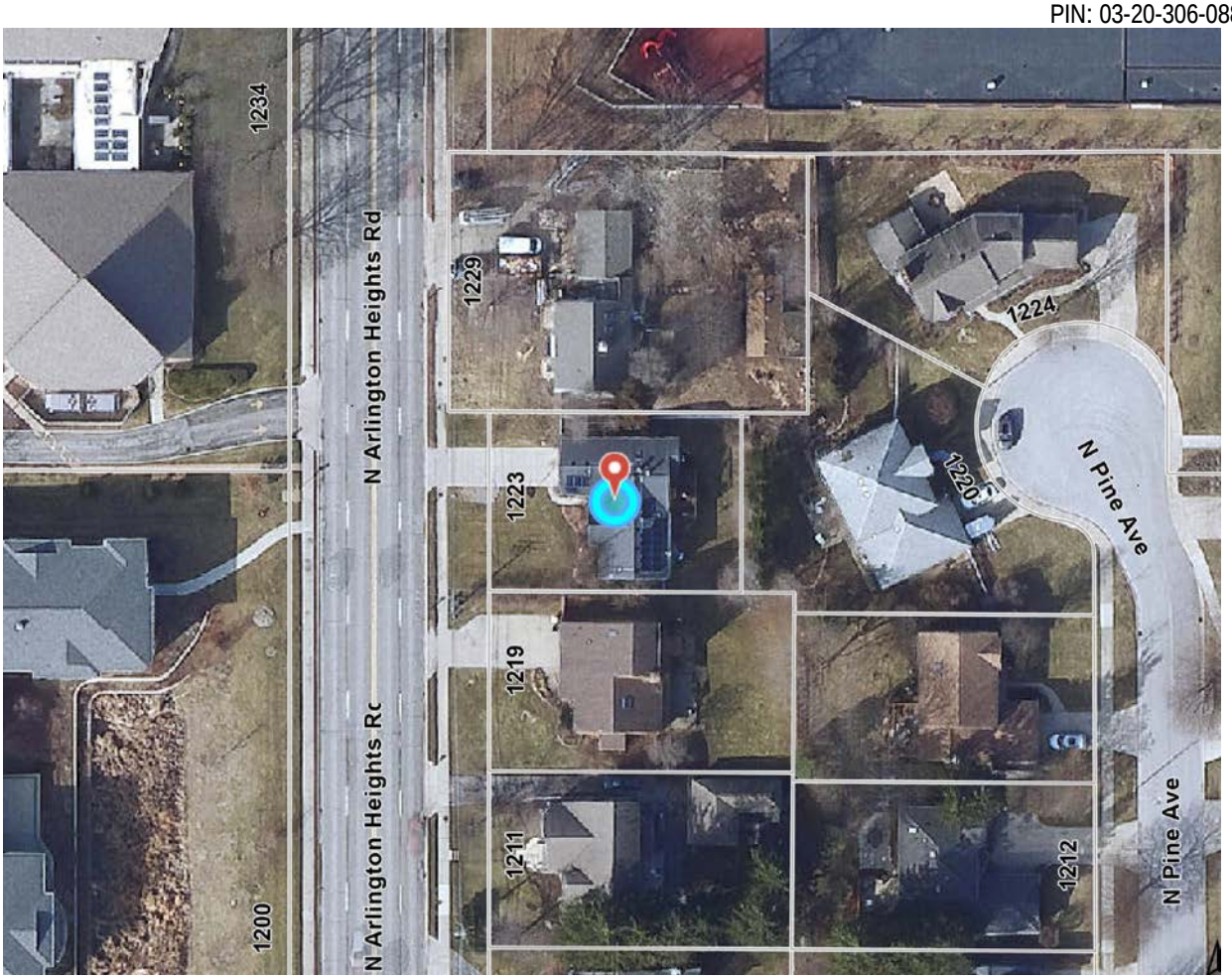
- A 9.0 foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a width of 31.0 feet where a maximum width of 22 feet is permitted.

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and (2) the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and (3) the proposed variation is in harmony with the spirit and intent of this Chapter; and (4) the variance requested is the minimum variance necessary to allow reasonable use of the property. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four conditions enumerated.

Map of General Vicinity

Petition – ZBA#23-016
PIN: 03-20-306-088



Items required to be Submitted 15 Days Prior to Public Hearing

Item	Provided	Dated	Remarks
1. Notification Affidavit	✓	5/25/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/25/23	
3. Letter that was Mailed	✓	5/25/23	
4. Photographs of Sign on Property	✓	5/25/23	

Photographs of Existing Structure

Petition – ZBA#23-016
PIN: 03-20-306-088



Village of Arlington Heights
Building & Life Safety Department

Interoffice Memorandum

To: **Derek Mach, Zoning Board of Appeals Liaison**

From: **Nusrat Jahan, Building & Life Safety Department**

Project Name: **Goujon Residence**

Project Address: **1223 N. Arlington Heights Road**

ZBA #: **23-016**

Date: **May 25, 2023**

Derek:

I have reviewed the request for the following variance:

- **A 9.0 foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a width of 31.0 feet where a maximum width of 22 feet is permitted.**

and have no objections or comments.

ZBA# 23-016
1223 N Arlington Heights Rd - ZBA
Rev. Eng: Mike Pagones, P.E., Village Engineer
cc: Briget Schwab, P.E.

Application Date: April 27, 2023
Received by Planning:
Transmitted to Engineering: May 23, 2023
Completed: June 1, 2023
ZBA Meeting Date: June 12, 2023

The proposed ZBA application indicates that the petitioner is seeking:

- **A 9.0 foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a width of 31.0 feet where a maximum width of 22 feet is permitted.**

The Engineering Division has NO OBJECTION to the proposed variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width).

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Goujon Residence

Project Address: 1223 N. Arlington Heights Road

ZBA #: 23-016

ZBA Hearing Date: June 12, 2023

To: Mike Pagones, Village Engineer
Jorge Torres, Director of Building and Life Safety

C: Michael Lysicatos, Assistant Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Landscape Planner

Transmitted On: May 23, 2023

- A 9.0 foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a width of 31.0 feet where a maximum width of 22 feet is permitted.

Attached are the Petitioner's:

- ❑ Application & Petition
- ❑ Plat of Survey
- ❑ Site Plan
- ❑ Other: _____

Comments: _____

No Comments.

- Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than June 2, 2023.

PETITION

The following petition form shall be used when submitting a petition for a variation from Chapter 28 of the Arlington Heights Municipal Code. This must be submitted with a fully executed application to the Zoning Board of Appeals. Please refer to Section 12 of Chapter 28 if the Arlington Heights Municipal Code for information regarding the criteria by which the Zoning Board of Appeals will evaluate variation requests. (Attached to this application packet.)

PETITION

NOW COMES the Petitioner Christophe Goujon

being the owner of the property commonly know as: 1223 N Arlington Heights rd

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 10.2-11.1

Chapter 28, of the Arlington Heights Municipal Code, in order to: extend driveway to 31 foot wide, where

22 foot is the maximum allowed

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): the variance will not detract from from any character of the neighborhood. Most neighbors have deeper or larger driveway. We had blocks on the grass but since a pipe broke 2 years ago, blocks we replaced but ground was not stabilized properly and now wheels are sinking into mud when raining

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): the unique circumstances are that the existing driveway does not allow cars to safely exit the property due to high traffic on Arlington heights road, risk highly increased when multiple cars are in the driveway.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): by increasing the width of the driveway we are not altering any intent of the zoning requirement but creating a safe way for us and visitor to enter and exit the property. Since

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): by increasing the width by 9', cars will be able to back up and make a U-Turn on the property instead of backing on Arlington Heights RD making the exit of the property much safe for visitor

Signed: _____ Date: 05/10/2023

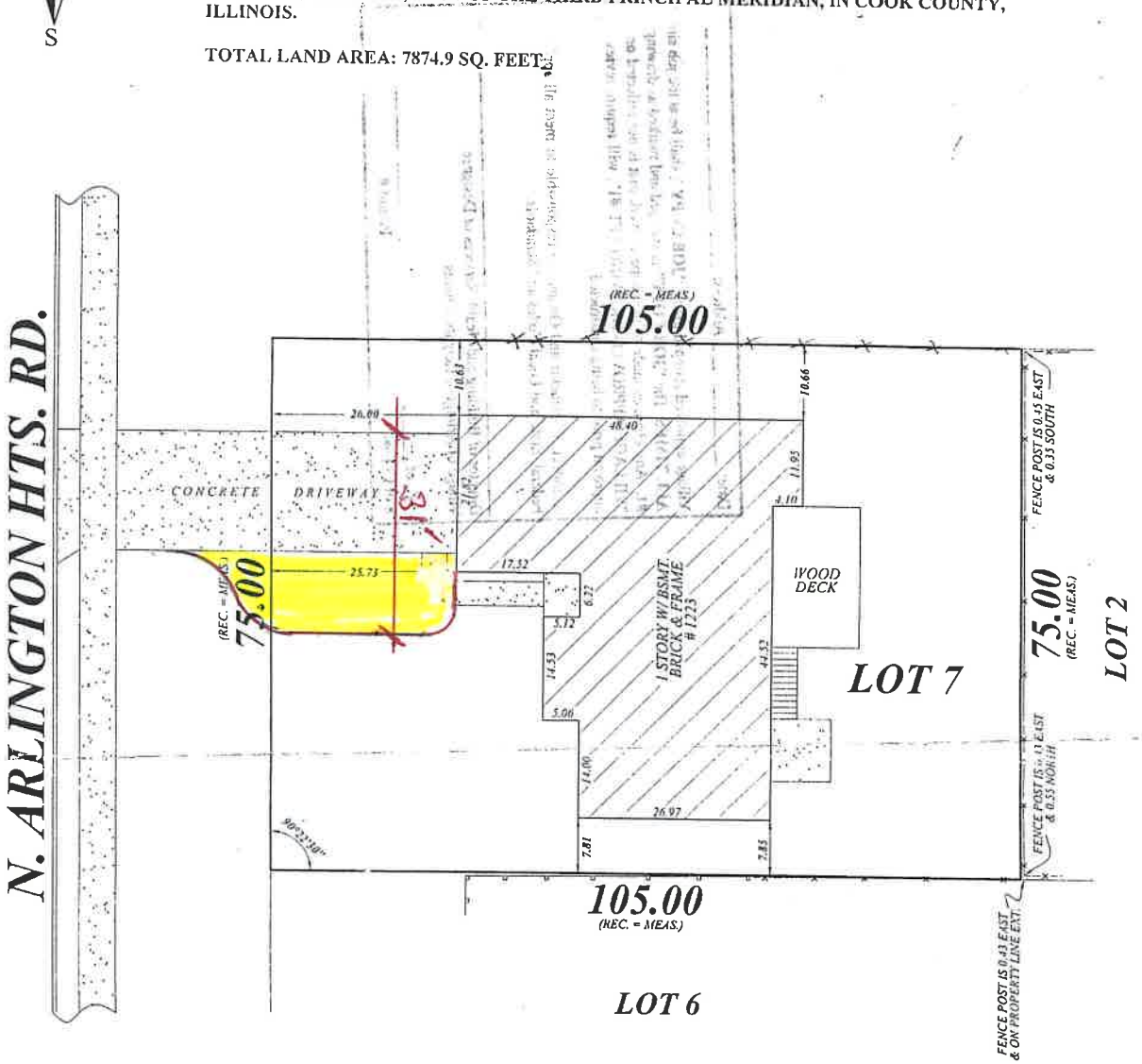
Petitioner

PLAT OF SURVEY

DESCRIBED AS :

LOT 7 IN BIERMA'S RESUBDIVISION UNIT ONE IN ARLINGTON HEIGHTS BEING A RESUBDIVISION IN THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

TOTAL LAND AREA: 7874.9 SQ. FEET.



LEGEND

- CHAIN LINK FENCE
- WOOD FENCE
- IRON FENCE
- CONCRETE PAVEMENT
- E. FR. P. - ENCLOSED FRAME PORCH
- O. FR. P. - OPEN FRAME PORCH
- SIDE BOUNDARY LINE
- EASEMENT LINE
- BLDG. SETBACK LINE
- CENTER LINE

ANDRZEJ MURZANSKI 35 3258 REGISTERED LAND SURVEYOR STATE OF ILLINOIS ILLINOIS

ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

SCALE : 1" = 16'

ORDERED : WALDEMAR WYSZYNSKI

JOB NO : 130123

FIELDWORK COMPLETION DATE : JAN. 22ND 2013

MUNICIPALITY : ARLINGTON HTS.

THE LEGAL DESCRIPTION NOTED ON THIS PLAT IS A COPY OF THE ORDERS AND FOR ACCURACY MUST BE COMPARED WITH THE DEED.

STATE OF ILLINOIS
COUNTY OF COOK SS

SIGNATURE DATE: JANUARY 23RD 2013

I, ANDRZEJ MURZANSKI, AN ILLINOIS REGISTERED LAND SURVEYOR, DO HERBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

Andrzej Murzanski

ANDRZEJ MURZANSKI PLS. NO. 35-3258 EXPIRES 11/30/2014
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

ANY DISCREPANCY IN MEASURMENT SHOULD BE PROMPTLY REPORTED TO THE SURVEYOR FOR EXPLANATION OR CORRECTION.

FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS NOT SHOWN ON THIS PLAT REFER TO YOUR ABSTRACT, DEED, TITLE POLICY AND LOCAL BUILDING REGULATIONS.

NO CORNERS WERE MONUMENTED PER CUSTOMER REQUEST.

ANDRZEJ MURZANSKI
LAND SURVEYORS, INC
PROFESSIONAL DESIGN FIRM
NO. 184-004748

240 COUNTRY LANE
GLENVIEW, IL 60025
PHONE : 847-486-8731
FAX : 847-486-8732

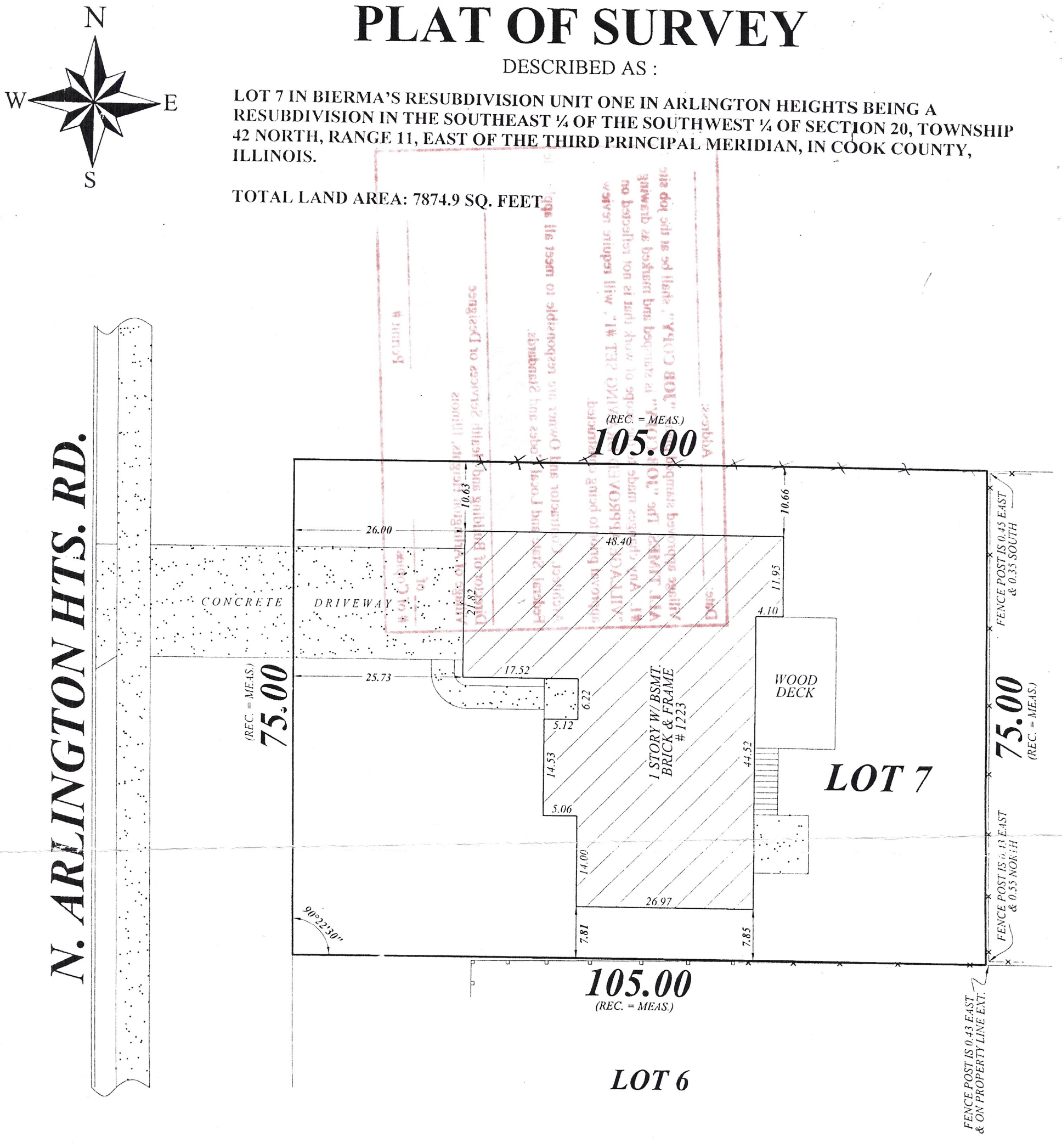
amurzanski@yahoo.com

PLAT OF SURVEY

DESCRIBED AS :

LOT 7 IN BIERMA'S RESUBDIVISION UNIT ONE IN ARLINGTON HEIGHTS BEING A RESUBDIVISION IN THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

TOTAL LAND AREA: 7874.9 SQ. FEET



LEGEND

- *CHAIN LINK FENCE*
- *WOOD FENCE*
- *IRON FENCE*
- *CONCRETE PAVEMENT*
- *E. FR. P. - ENCLOSED FRAME PORCH*
- *O. FR. P. - OPEN FRAME PORCH*
- *SIDE BOUNDARY LINE*
- *EASEMENT LINE*
- *BLDG. SETBACK LINE*
- *CENTER LINE*

ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

SCALE : 1"=16'

ORDERED : WALDEMAR WYSZYNSKI

JOB NO : 130123

FIELDWORK COMPLETION DATE : JAN. 22ND 2013

MUNICIPALITY : ARLINGTON HTS.

THE LEGAL DESCRIPTION NOTED ON THIS PLAT IS A COPY OF THE ORDERS AND FOR ACCURACY MUST BE COMPARED WITH THE DEED.

STATE OF ILLINOIS
COUNTY OF COOK SS

SIGNATURE DATE: JANUARY 23RD 2013

I, ANDRZEJ MURZANSKI, AN ILLINOIS REGISTERED LAND SURVEYOR, DO HERBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

ANDRZEJ MURZANSKI PLS. NO. 35-3258 EXPIRES 11/30/2014
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

ANY DISCREPANCY IN MEASURMENT SHOULD BE PROMPTLY REPORTED TO THE SURVEYOR FOR EXPLANATION OR CORRECTION.

FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS NOT SHOWN ON THIS PLAT REFER TO YOUR ABSTRACT, DEED, TITLE POLICY AND LOCAL BUILDING REGULATIONS.

ANDRZEJ MURZANSKI 35-3258 REGISTERED LAND SURVEYOR STATE OF ILLINOIS ILLINOIS

NO CORNERS WERE MONUMENTED PER CUSTOMER REQUEST.

ANDRZEJ MURZANSKI
LAND SURVEYORS, INC
PROFESSIONAL DESIGN FIRM
NO. 184-004748

240 COUNTRY LANE
GLENVIEW, IL 60025
PHONE : 847-486-8731
FAX : 847-486-8732

amurzanski@yahoo.com





Zoning Board of Appeals
6/12/2023

Item: 407 S. Waterman Ave - ZBA#23-017

Department: Planning & Community Development

REQUEST

A 3.7-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 3.0 feet instead of the required 6.7 feet and an additional 1.7 feet for the eave.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 12, 2023
Date Prepared: June 6, 2023
Project Title: Wyller Residence
Address: 407 S. Waterman Ave.

Background Information

Petition Number: ZBA #23-017
Petitioner: Robert Flubacker / Robert Flubacker Architects
Address: 1895 Rohlwing Rd, Suite B
Rolling Meadows IL 60008

Existing Zoning: R-3 – Residential Single-Family District

Requested Action/Background Information

The subject site is zoned R-3, One Family Dwelling District. The property has a total land area of approximately 8,843 square feet and the proposed residence with the addition will be approximately 1,705 square feet. The petitioner is proposing to expand the home along the north elevation including an expansion to the existing one car attached garage in order to create a two car attached garage. The proposed addition requires a zoning variation to allow a side yard setback of 3.0 feet, where 6.7 feet is required. Therefore, the petitioner requires the following variation:

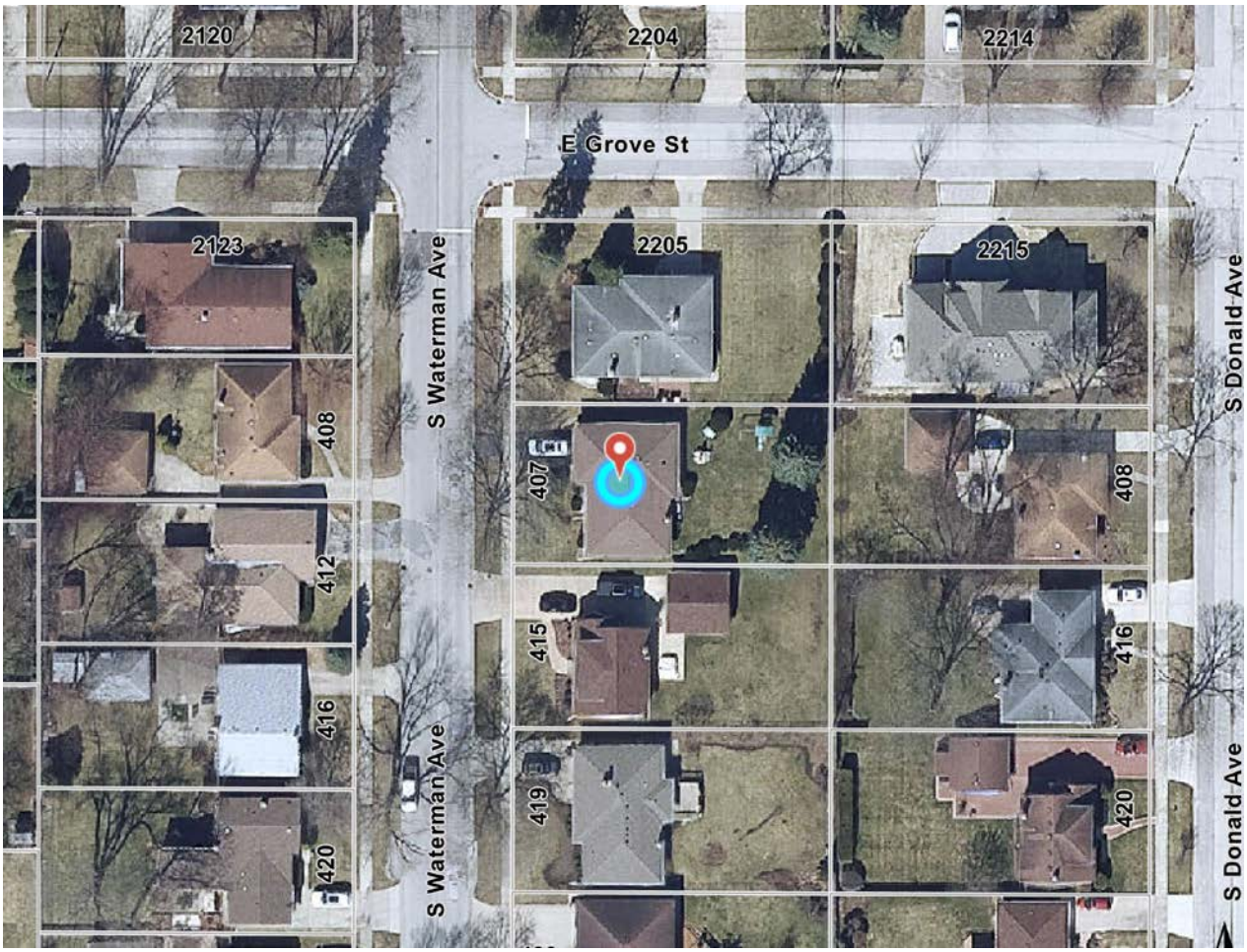
- A 3.7-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 3.0 feet instead of the required 6.7 feet and an additional 1.7 feet for the eave.

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and (2) the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and (3) the proposed variation is in harmony with the spirit and intent of this Chapter; and (4) the variance requested is the minimum variance necessary to allow reasonable use of the property. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four conditions enumerated.

Petition – ZBA#23-017
PIN: 03-33-209-002

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

Item	Provided	Dated	Remarks
1. Notification Affidavit	✓	5/25/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/25/23	
3. Letter that was Mailed	✓	5/25/23	
4. Photographs of Sign on Property	✓	5/25/23	

Photographs of Existing Structure



Village of Arlington Heights
Building & Life Safety Department

Interoffice Memorandum

To: **Derek Mach, Zoning Board of Appeals Liaison**

From: **Nusrat Jahan, Building & Life Safety Department**

Project Name: **Wyller Residence**

Project Address: **407 S. Waterman Avenue**

ZBA #: **23-017**

Date: **May 25, 2023**

Derek:

I have reviewed the request for the following variance:

- **A 3.7-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 3.0 feet instead of the required 6.7 feet and an additional 1.7 feet for the eave.**

and have the following comments:

1. The north wall shall have a minimum 1-hour fire-resistance rating.
2. The eave projection over the north wall of the addition cannot be less than 2 feet from the lot line.
3. The soffit on the north wall shall have a 1-hour fire-resistance rating or solid blocking between the top plate and the roof sheathing.
4. The maximum allowed openings on the south wall are limited to a total of 25% or the total wall area on the south side.

ZBA# 23-017
407 S Waterman Ave - ZBA
Rev. Eng: Mike Pagones, P.E., Village Engineer
cc: Briget Schwab, P.E.

Application Date: May 11, 2023
Received by Planning:
Transmitted to Engineering: May 23, 2023
Completed: June 1, 2023
ZBA Meeting Date: June 12, 2023

The proposed ZBA application indicates that the petitioner is seeking:

- **A 3.7-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 3.0 feet instead of the required 6.7 feet and an additional 1.7 feet for the eave.**

The Engineering Division has NO OBJECTION to the proposed variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards). An existing and proposed grading plan along the north side of the property will be required during the permit process to ensure positive drainage from the adjacent property.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Wyller Residence

Project Address: 407 S. Waterman Avenue

ZBA #: 23-017

ZBA Hearing Date: June 12, 2023

To:	Mike Pagones, Village Engineer Jorge Torres, Director of Building and Life Safety
C:	Michael Lysicatos, Assistant Director of Planning and Community Development Steve Hautzinger, Design Planner
From:	Derek Mach, Landscape Planner
Transmitted On:	May 23, 2023

- A 3.7-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 3.0 feet instead of the required 6.7 feet and an additional 1.7 feet for the eave.

Attached are the Petitioner's:

- ❑ Application & Petition
- ❑ Plat of Survey
- ❑ Site Plan
- ❑ Other: _____

Comments:

Since the proposed addition is changing the appearance of the front of the home, a Design Commission application is required to be submitted to the Planning Department for review. However, the addition is very nicely designed to seamlessly fit with the existing house, so this project is favorable for an Administrative design approval, pending the outcome of the ZBA review.

- Steve Hautzinger, Design Planner

PETITION

NOW COMES the Petitioner, **Robert Flubacker**, being the petitioner of the property commonly known as: **407 S. Waterman Ave.**, and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a variation from, **Section 5.1-3.3 (b) Required Minimum Yards and Table 6.6-5.1 Table of Permitted Obstructions** Chapter 28, of the Arlington Heights Municipal Code, in order to:

Construct a one-story addition, which is encroaching 3.7 feet into the required 6.7 foot side yard setback and also construct eave, overhang and gutter to project 22 inches (to match existing eaves) beyond face of wall of the above side yard setback variation.

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variations were granted:

The use of the existing house is not changing and the surrounding neighborhood has single-family homes of a widely varied mix of sizes and shapes. The propose addition extends the existing architectural character of the home.

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned:

Project was constructed in the 1950's when the zoning ordinance allowed an attached garage to be constructed to within three feet of the side lot line. This exception was carried in the zoning ordinance until the early 2000's. The unique situation at this location allows for expansion of the one-car garage to an acceptable width of a two-car garage while still maintaining the aforementioned three foot side yard setback.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter:

With the exception of the variations requested, the project falls well below the other zoning requirements. The project maintains the character of the neighborhood, while providing the desired expansion of the home the owner needs.

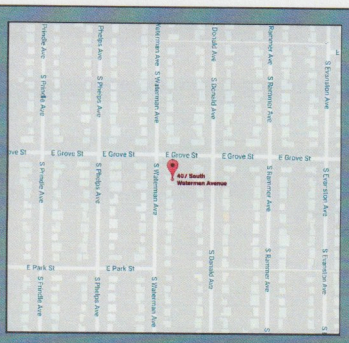
I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property:

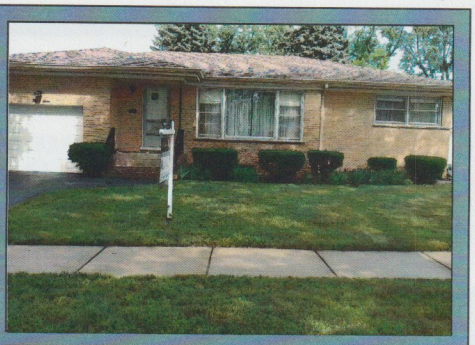
The variation requested is the minimum variation needed to provide a two-car garage which is consistent with similar homes in the area and strong demand in the marketplace.

Signed: _____ Date: 8.11.13

Petitioner

EXACTA
ILLINOIS SURVEYORS, INC.





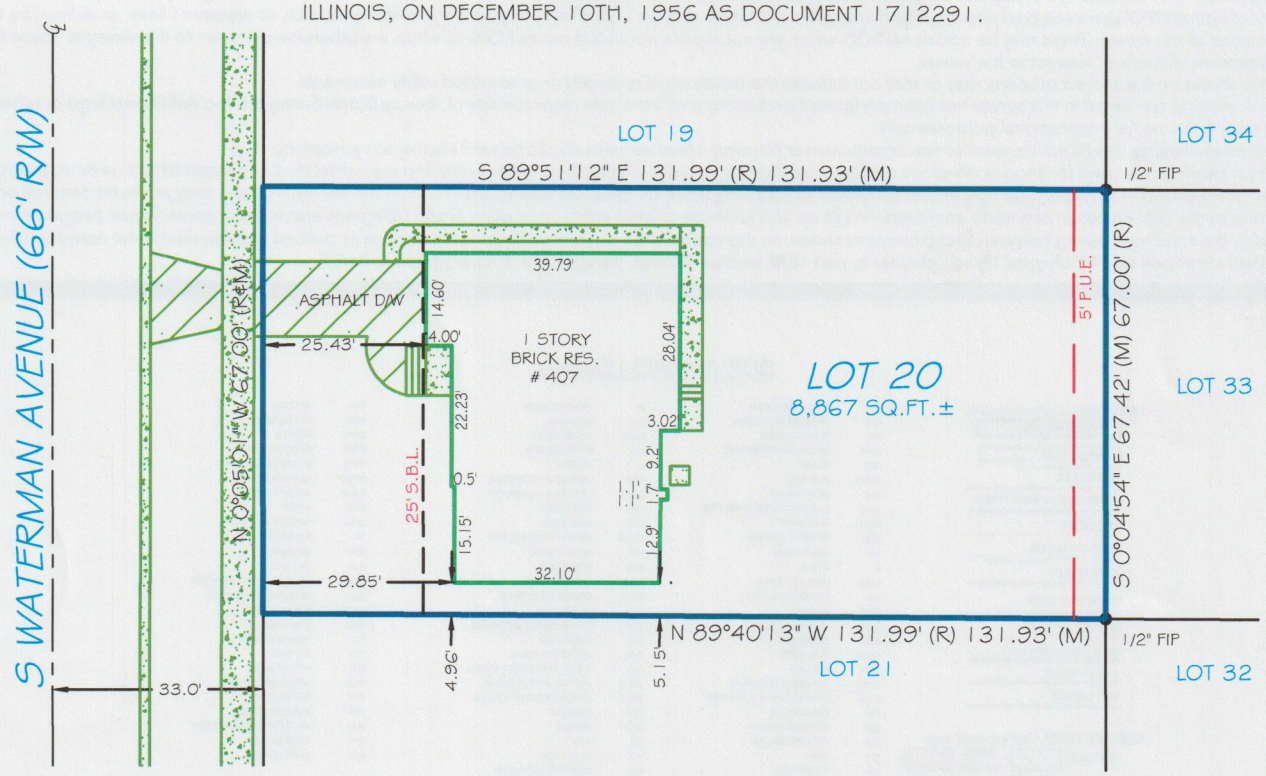
PROPERTY ADDRESS: 407 S WATERMAN AVENUE ARLINGTON HEIGHTS, ILLINOIS 60004

SURVEY NUMBER: IL1707.0371

FIELD WORK DATE: 7/12/2017 **REVISION DATE(S):** (REV.0 7/17/2017)

17070371
BOUNDARY SURVEY
COOK COUNTY

LOT TWENTY (20) IN STOLTZNERS GREENVIEW ESTATES FIRST ADDITION, BEING A SUBDIVISION OF PART OF THE WEST HALF (1/2) OF THE WEST HALF (1/2) OF THE NORTHEAST QUARTER (1/4) OF SECTION 33, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON DECEMBER 10TH, 1956 AS DOCUMENT 1712291.



STATE OF ILLINOIS
COUNTY OF DuPAGE } SS

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS 17TH OF JULY, 2017 AT 312 S. HALE STREET IN WHEATON, IL 60187.

WARREN D. JOHNSON
035-002971
PROFESSIONAL
LAND SURVEYOR
WHEATON, IL
STATE OF ILLINOIS

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2971
LICENSE EXPIRES 11/30/2018
EXACTA LAND SURVEYORS LB# 5763

30 0 15 30
GRAPHIC SCALE (In Feet)
1 inch = 30' ft.

N

THE ABOVE SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE

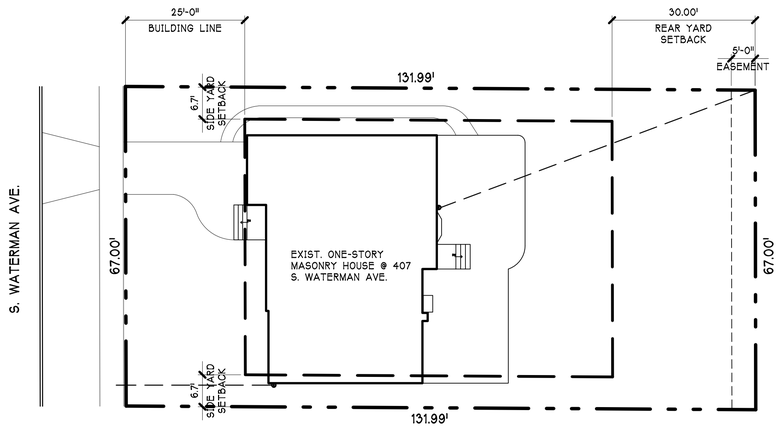
POINTS OF INTEREST

ALTERATIONS AND ADDITIONS FOR

THE WYLLER RESIDENCE

407 S. WATERMAN AVE.
ARLINGTON HEIGHTS, ILLINOIS

SITE PLAN



NORTH

1 / EX-0 SITE PLAN
1" = 15'-0"

SITE PLAN LEGEND:

- EXIST. CONSTRUCTION TO REMAIN
- PROPERTY LINE
- SETBACK LINE

CODE REVIEW

ZONING	R-3	
LOT AREA	8,843 SQ.FT.	
	EXISTING	ALLOWED
BUILDING AREAS		
FIRST FLOOR	1,536 SQ.FT.	
ATTACHED GARAGE	304 SQ.FT.	
FLOOR AREA RATIO (FAR)	1,536 SQ.FT.	3,975 SQ.FT.
BUILDING LOT COVERAGE	1,840 SQ.FT.	3,095 SQ.FT.
IMPERVIOUS SURFACE COVER.	3,335 SQ.FT.	4,421 SQ.FT.
BUILDING HEIGHT	EXISTING	25 FT.

SYMBOLS

1 / A-1 DETAIL NUMBER (TYP.) / SHEET NUMBER (TYP.)
ELEVATION KEY

EXISTING PARTITION TO REMAIN

EXISTING DOOR TO REMAIN

LIST OF DRAWINGS

EX-0 TITLE SHEET / SITE PLAN
EX-1 EXISTING FIRST FLOOR PLAN

RFA
ROBERT FLUBACKER ARCHITECTS LIMITED

1895-B Rohlwing Rd.
Rolling Meadows,
Illinois 60008
847-704-3200

IL Design Firm
#184.001489

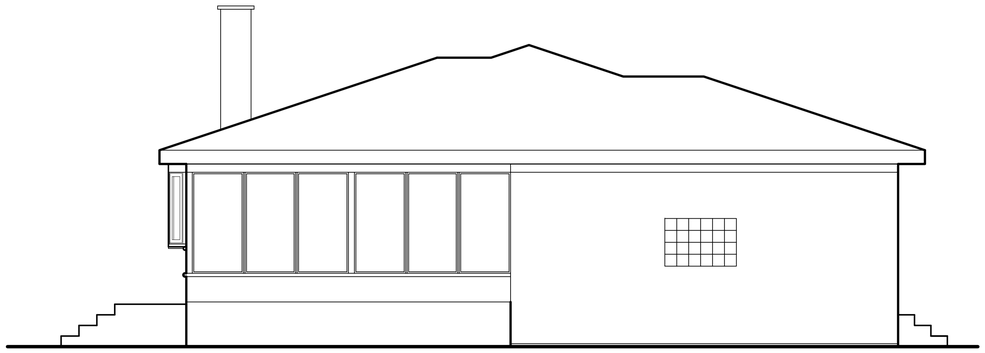
ALTERATIONS AND ADDITION FOR
THE WYLLER RESIDENCE
407 S. WATERMAN AVE.
ARLINGTON HEIGHTS, ILLINOIS

Date	Description
2/21/23	EXIST.

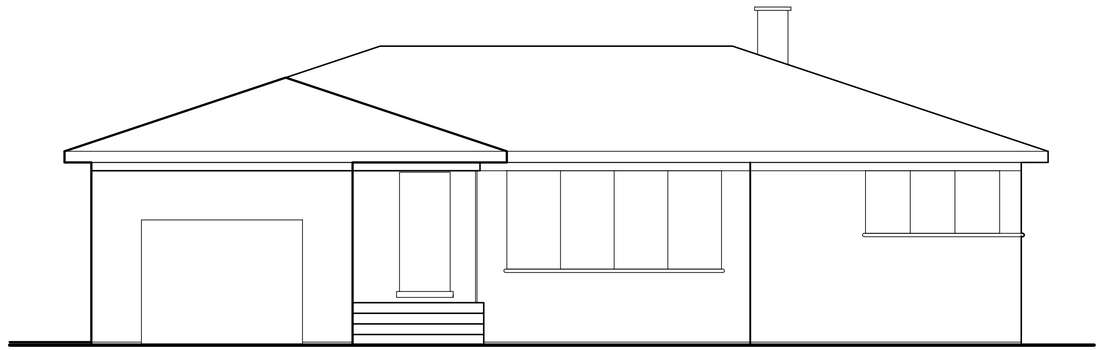
© 2023 R.F.A. LTD.

Project Number
230

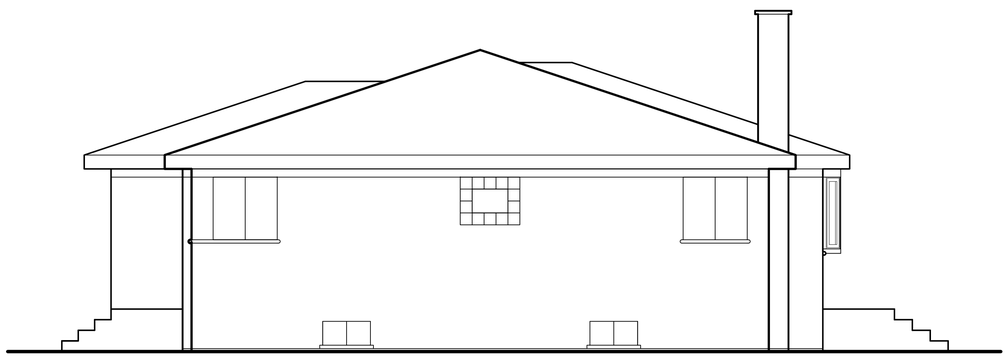
EX-0



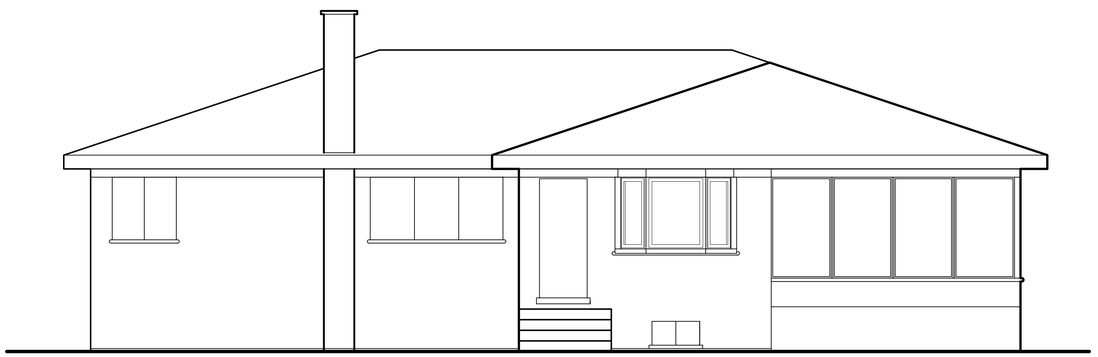
1 EX-2 EXISTING NORTH ELEVATION
1/4" = 1'-0"



2 EX-2 EXISTING WEST ELEVATION
1/4" = 1'-0"



3 EX-2 EXISTING SOUTH ELEVATION
1/4" = 1'-0"



4 EX-2 EXISTING EAST ELEVATION
1/4" = 1'-0"

RFA
ROBERT FLUBACKER ARCHITECTS LIMITED
1895-B Rohlwing Rd.
Rolling Meadows,
Illinois 60008
847-704-3200
IL Design Firm
#184.001489

ALTERATIONS AND ADDITION FOR
THE WYLLER RESIDENCE
407 S. WATERMAN AVE.
ARLINGTON HEIGHTS, ILLINOIS

Date	Description
4/4/23	EXIST.

© 2023 R.F.A. LTD.

Project Number
230

EX-2

ALTERATIONS AND ADDITIONS FOR

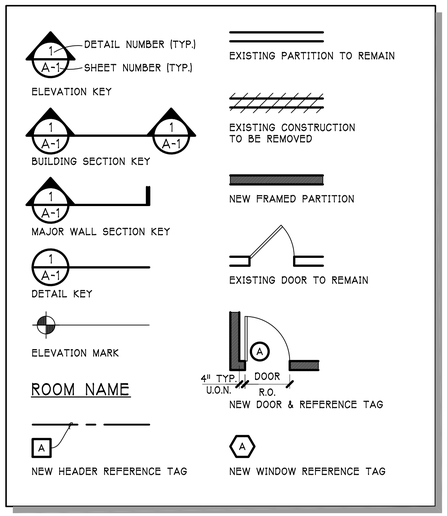
THE WYLLER RESIDENCE

407 S. WATERMAN AVE.
ARLINGTON HEIGHTS, ILLINOIS

ABBREVIATIONS

@	AT	EXP.	EXPANSION	P.LAM.	PLASTIC LAMINATE
<	ANGLE	F.D.	FLOOR DRAIN	PLYWD.	PLYWOOD
SS	FIVE SHELVES	F.F.	FINISH FLOOR	P.S.F.	POUNDS PER SQUARE FOOT
A./C.	AIR CONDITIONING	FIN.	FINISH	P.S.I.	POUNDS PER SQUARE INCH
ADJ.	ADJUSTABLE	FIXT.	FIXTURE	PSL	PARALLEL STRAND LUMBER
A.F.F.	ABOVE FINISH FLOOR	FND.	FOUNDATION	PVC.	POLYVINYL CHLORIDE
ALT.	ALTERNATE	F.O.C.	FACE OF CONCRETE	R.	RADIUS
ALUM.	ALUMINUM	F.O.S.	FACE OF STUD	R.D.	ROOF DRAIN
APPROX.	APPROXIMATE	FRZ.	FREEZER	R.R.	ROOF RAFTERS
ARCH.	ARCHITECTURAL	F.S.	FOOTING SUMP	R&S	ROD & SHELF
B/	BOTTOM OF	FTG.	FOOTING	REBAR.	REINFORCING BAR
BD.	BOARD	FURN.	FURNACE	REF.	REFRIGERATOR
B.I.	BUILT-IN	GA.	GAUGE	REG.	REGULAR
BLDG.	BUILDING	GALV.	GALVANIZED	REINF.	REINFORCE
B.O.	BY OWNER	GLU-LAM.	GLUE LAMINATED BEAM	RM.	ROOM
BRG.	BEARING	GYP.BD.	GYPSUM BOARD	R.O.	ROUGH OPENING
C.	CARPET	HGT.	HEIGHT	S.C.	SOLID CORE
CAB.	CABINET	H.M.	HOLLOW METAL	SECT.	SECTION
C.I.	CAST IRON	HORZ.	HORIZONTAL	S.H.	SINGLE-HUNG CLOSET ROD
C.J.	CONSTRUCTION JOINTS	HTG.	HEATING	SIM.	SIMILAR
C.L.	CENTER LINE	H.V.A.C.	HEATING, VENTILATION, AIR CONDITIONING	S.P.	SUMP PIT
CLG.	CEILING			SPEC.	SPECIFICATION
C.M.U.	CONCRETE MASONRY UNIT	H.W.	HOT WATER	SQ.	SQUARE
C.O.	CASED OPENING/ CLEAN OUT	INSUL.	INSULATION	STD.	STANDARD
COL.	COLUMN	INT.	INTERIOR	STL.	STEEL
CONC.	CONCRETE	L.	LINEN	STOR.	STORAGE
CONST.	CONSTRUCTION	LAM.	LAMINATE	STRUCT.	STRUCTURAL
CONT.	CONTINUOUS	LAV.	LAVATORY	SUSP.	SUSPENDED
C.T.	CERAMIC TILE	LLV	LONG LEG VERTICAL	T/	TOP OF
C.W.	COLD WATER	LVL	LAMINATED VENEER LUMBER	T.&B.	TOP & BOTTOM
D.	DRYER	MAX.	MAXIMUM	T.&G.	TONGUE & GROOVE
DEMO.	DEMOLITION	M.C.	MEDICINE CABINET	TEL.	TELEPHONE
D.H.	DOUBLE-HUNG CLOSET RODS	MECH.	MECHANICAL	T.M.E.	TO MATCH EXIST.
DIA.	DIAMETER	MED.	MEDIUM	T.O.P.	TOP OF PLATE
DIM.	DIMENSION	MICRO.	MICROWAVE	TV.	TELEVISION
DISP.	DISPOSAL	MIN.	MINIMUM	TYP.	TYPICAL
DIV.	DIVISION	MISC.	MISCELLANEOUS	U.O.N.	UNLESS OTHERWISE NOTED
DN.	DOWN	M.O.	MASONRY OPENING	V.C.T.	VINYL COMPOSITION TILE
D.S.	DOWN SPOUT	MTL.	METAL	VERT.	VERTICAL
D.W.	DISHWASHER	NFHB	NON-FREEZE HOSE BIBB	V.T.R.	VENT THRU ROOF
EA.	EACH	N.I.C.	NOT IN CONTRACT	W/	WITH
EIFS.	EXTERIOR INSULATION AND FINISH SYSTEM	NO.	NUMBER	W.	WASHER
		NOM.	NOMINAL	W.C.	WATER CLOSET
ELECT.	ELECTRICAL	N.T.S.	NOT TO SCALE	WD.	WOOD
ELEV.	ELEVATION	O.A.	OVER ALL	WDW.	WINDOW
EP	EJECTOR PIT/SUMP	O.C.	ON CENTER	W.H.	WATER HEATER
EQ.	EQUAL	O.H.	OVERHANG	W.I.C.	WALK-IN CLOSET
EQUIP.	EQUIPMENT	OPP.	OPPOSITE	W/O	WITHOUT
EQUIV.	EQUIVALENT	OV.	OVEN	WT.	WEIGHT
E.W.	EACH WAY	PERF.	PERFORATED	W.W.F.	WELDED WIRE FABRIC
EXIST.	EXISTING	PL.	PLATE		

SYMBOLS



CODE DATA

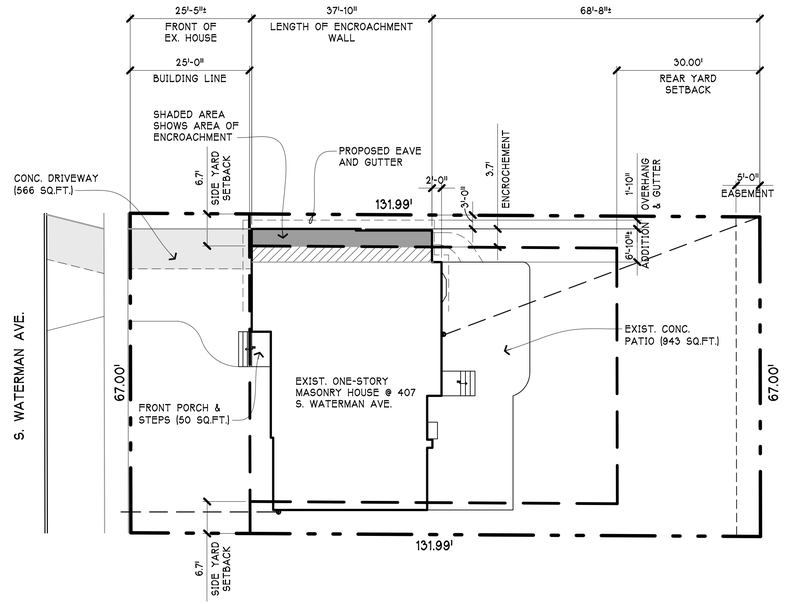
ALL CONSTRUCTION SHALL CONFORM WITH THE FOLLOWING:

- 2018 INTERNATIONAL CODE COUNCIL SERIES:
  - -INTERNATIONAL BUILDING CODE (IBC)
  - -INTERNATIONAL EXISTING BUILDING CODE (IEBC)
  - -INTERNATIONAL FIRE CODE (IFC)
  - -INTERNATIONAL FUEL GAS CODE (IFGC)
  - -INTERNATIONAL MECHANICAL CODE (IMC)
  - -INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC)
  - -INTERNATIONAL RESIDENTIAL CODE (IRC)
  - -INTERNATIONAL SWIMMING POOL AND SPA CODE
- 2017 NATIONAL ELECTRICAL CODE (NFPA 70)
- 2018 ILLINOIS ENERGY CONSERVATION CODE w/ STATE AMENDMENTS
- 2014 ILLINOIS STATE PLUMBING CODE
- 2018 ILLINOIS ACCESSIBILITY CODE
- INCLUDING ALL APPROVED LOCAL AMENDMENTS TO THE ABOVE REFERENCED CODES

LIST OF DRAWINGS

A-0	TITLE SHEET / SITE PLAN
A-1	FIRST FLOOR PLAN
A-2	EXTERIOR ELEVATIONS

SITE PLAN



NORTH

1 A-0 SITE PLAN
1" = 15'-0"

SITE PLAN LEGEND:

- EXIST. CONSTRUCTION TO REMAIN
- NEW FIRST FLOOR CONSTRUCTION
- PROPERTY LINE
- SETBACK LINE

CODE REVIEW

ZONING R-3

LOT AREA 8,843 SQ.FT.

	EXISTING	ALLOWED	PROPOSED
BUILDING AREAS			
FIRST FLOOR	1,536 SQ.FT.		1,657 SQ.FT.
ATTACHED GARAGE	304 SQ.FT.		448 SQ.FT.
FLOOR AREA RATIO (FAR)	1,536 SQ.FT.	3,975 SQ.FT.	1,705 SQ.FT.
BUILDING LOT COVERAGE	1,840 SQ.FT.	3,095 SQ.FT.	2,105 SQ.FT.
IMPERVIOUS SURFACE COVER.	3,335 SQ.FT.	4,421 SQ.FT.	3,664 SQ.FT.
BUILDING HEIGHT	14 FT.	25 FT.	14 FT.

RFA
ROBERT FLUBACKER ARCHITECTS LIMITED

1895-B Rohlwing Rd.
Rolling Meadows,
Illinois 60008
847-704-3200

IL Design Firm
#184.001489

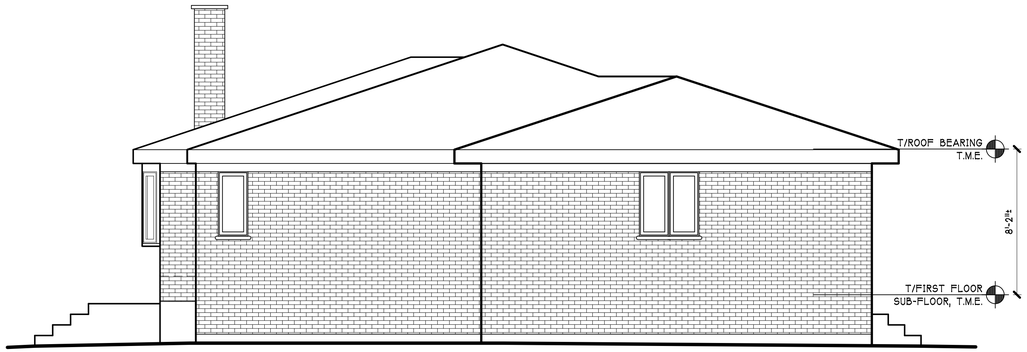
ALTERATIONS AND ADDITION FOR
THE WYLLER RESIDENCE
407 S. WATERMAN AVE.
ARLINGTON HEIGHTS, ILLINOIS

Date	Description
5/11/23	ZBA

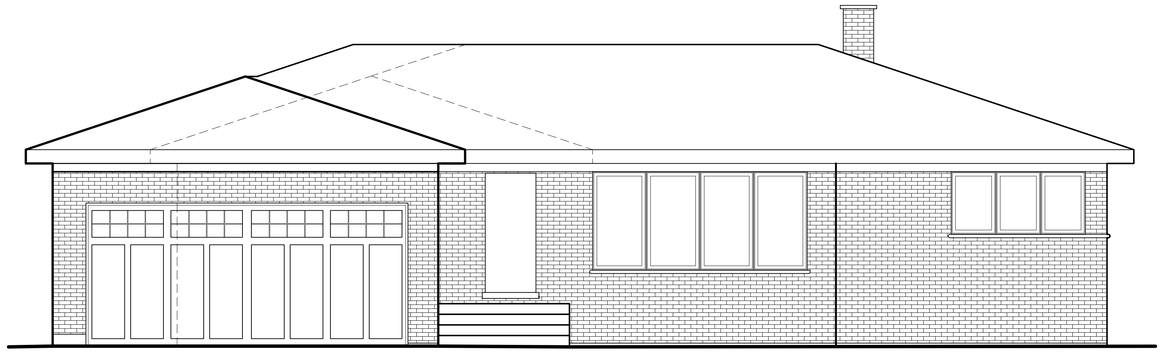
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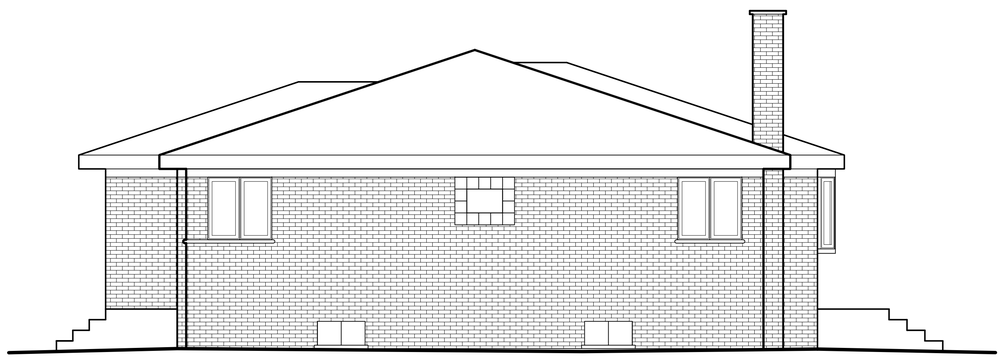
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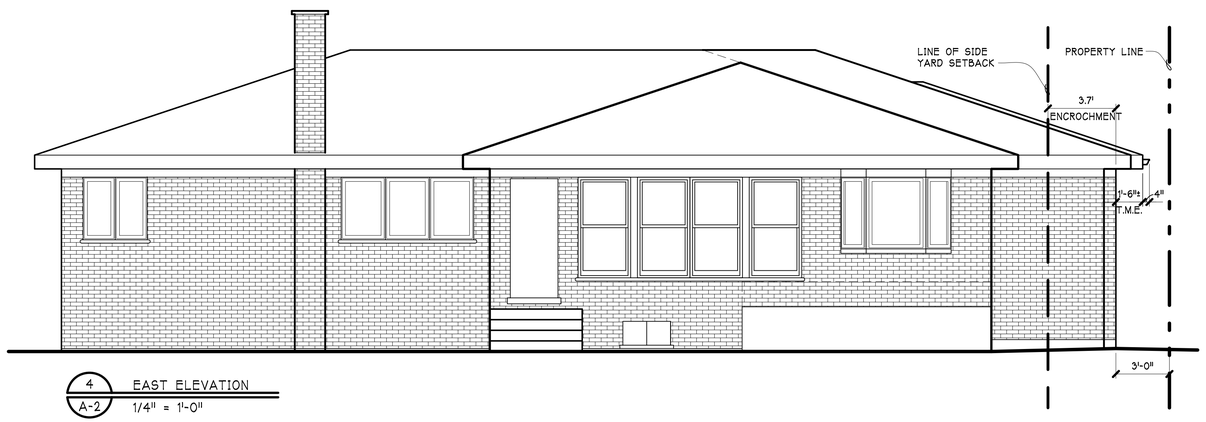
1 A-2 NORTH ELEVATION
1/4" = 1'-0"



2 A-2 WEST ELEVATION
1/4" = 1'-0"



3 A-2 SOUTH ELEVATION
1/4" = 1'-0"



4 A-2 EAST ELEVATION
1/4" = 1'-0"

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